



फाइल सं०  
File No. T/12.014/13/2000-15D-II  
NCB-II

खण्ड  
Volume VI

भारत सरकार  
**GOVERNMENT OF INDIA**  
गृह मंत्रालय  
**MINISTRY OF HOME AFFAIRS**

अनुभाग  
Section  
टिप्पणियां/पत्राचार  
NOTES/CORRESPONDENCE

को सूचीकृत की गई  
Indexed on

आद्याक्षर  
Initials

अभिलेख क/ख  
Record A/B

अभिलेख ग ..... में नष्ट गए  
Record C Destroyed in

नोट किया जाए  
नोट न किया जाए

To be noted  
Not to be noted

अनु० अ०/अधीक्षक के हस्ताक्षर  
Initials of S.O./Supdt.

लिपिक के हस्ताक्षर  
Initials of Clerk

विषय  
SUBJECT

Orders/directions passed by Justice  
Mukherjee Commission of Inquiry  
Compliance thereof by MHA etc.  
Documents made available to  
Sh. Tarkeshwar Pal, Sr. Govt. Counsel

NOTING - 14 pages  
Correspondence - 94 pages

पिछले हवाले  
Previous References

बाद के हवाले  
Later References





- 1 -  
**Ministry of Home Affairs**  
**NCB-II Section**

.....

FR under submission is the Commission's Status report as on 24/11/03 and its proceeding dated 27/11/03 for information and necessary action at our end.

Perusal of the Status report reveals that no action points has been shown pending against this Ministry except that one of the deponents Shri Subroto Bose (JMCI 27) **expressed his annoyance about the attitude of the Government of India as well as the Ld. Senior Standing Counsel representing the Government of India as regards the availability of the records.**

In this connection it may be stated that as and when a request for records is received from the Commission, the position is checked up with the available records in this Ministry or with other Departments/Ministries and subject to the availability of the records the same are either apprised of the factual position or provided to the Commission from time to time. Hence the annoyance expressed by Shri Subroto Bose is not based on facts and our Ld. Senior Standing Counsel is bound to contest such type of allegation during proceeding.

In order to avoid any complication or controversy in future, it is proposed that either the Ld. Senior Standing Counsel representing the Govt. viz. Shri Tarkeshwar Pal be called for in Delhi or the officer dealing with the subject matter be deputed for Kolkata for briefing the Ld. Counsel for adopting an strategy in the right perspective viz:-

- a) he should attend all proceedings of the Commission as and when it is held.
- b) he should take firm stand to oppose or defend the allegation as and when levelled by the deponents against Govt. relating to non availability of records or any kind of non assistance to the Commission.
- c) he should make serious efforts to convince the Commission about the issue of seriousness or attitude of the Govt. for not taking keen interest in the matter.
- d) During proceedings, he should take firm stand that no documents/ records are available except those which have already been made available or apprised of their availability vide affidavits filed by the Govt. from time to time.
- e) he should also make an effort to convince the Commission that their enquiry should be based on the existing records and the



records made available by the different deponents from time to time.

However meanwhile, if approved to, we may send the copy of the Status report to our Ld. Counsel that he should take appropriate action in regard to the allegation made by Shri Subroto Bose.

*M. S. Zuhra*  
(M.S. ZUHA) 20/2/04  
DESK OFFICER

Dis(s)

FR is a copy of the status as on 24.11.2003 and the proceedings dated 27.11.2003 from JMCI.

2. On going through the status report, there seems to be no action pending against MHA. However, in the copy of proceedings dated 27.11.2003 (page 8/C), it has been mentioned that one Shri Subroto Bose expressed his annoyance about the attitude of the Government of India as well as against the learned Senior Standing Counsel representing the Government of India as regards the non-availability of the records.

3. JMCI, however, has not elaborated the matter, on which Shri Bose has expressed his annoyance. It seems that he is referring to the non-availability of records pertaining to the Khosla Commission.

4. In case, it is regarding the records of Khosla Commission, then MHA has already clarified to JMCI on this issue through the feedback given in the monthly status reports sent by MHA to JMCI and also by filing the affidavit.

5. As suggested on pre-page, calling our counsel to Delhi or sending our official to Kolkatta, will not serve any purpose. It is, therefore, submitted that we may ask the JMCI to elaborate on the issue at which Shri Bose has expressed his annoyance.

6. Submitted please.

*Umesh Kalra*  
(Umesh Kalra)  
Director (Security)  
26.2.2004

*Dis(s)*  
he may obtain the comments of one  
counsel as he has been representing the MHA  
before the JMCI  
SOURCES: *Umesh Kalra*  
Dis(s) *US to the JMCI* 27/2

943/Dis(s) 27/2  
692  
27/2  
J. S. Security/04  
12004







-4-

**Ministry of Home Affairs  
NCB-II Desk**

.....

FR may kindly be seen.

Shri Tarakeswar Pal, Senior Counsel appointed by this Ministry to represent Govt. of India in Justice Mukherjee Commission of Inquiry has pointed out to Dy. PM that 20 matters raised by the Commission are pending for long with the Govt. of India and desired that these pending issues should be resolved as soon as possible to avoid political criticism. He has also attached a press clipping wherein the Forward Block accused the Center for non co-operating with the Mukherjee Commission into the disappearance of Netaji Subhash Chandra Bose. He has also attached a comprehensive list of long pending matters of the Commission with the Government of India vide Annexure 'B' and 'C'.

Perusal of the Annexure 'B' and 'C' reveals that Action points shown pending against this Ministry has been indicated at para 1, 6, 8, 11 of Annexure B and para 4, 5, 6, and 7 of Annexure 'C'.

Parawise factual position are as follows:-

✓ **Para 1 of Annexure B**

In this para the Commission has referred their letter dated 5/9/03 enclosing therewith copy of News item captioned "Govt. to authenticate on Netaji's ashes by DNA test published in the Delhi edition of Statesman on Saturday October 28, 1995 and requested to let the Commission know what had actually happened with regard to the reported decision of the Govt. of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials and member of CDFD, Hyderabad as reported in the said news item and desired to make available the services of CDFD, Hyderabad, a competent member of the CBI and DNA expert viz Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the U.K as mentioned in the news item. In this connection it may be mentioned that on receipt of the above reference from MEA, an effort was made to locate from the existing records to ascertain whether any such Committee was constituted, but despite various efforts nothing could be found. Accordingly, as the news item contents various references to concern MEA and JMCI had sought the response from Ministry of External Affairs, this Ministry requested the MEA to sent a suitable reply to JMCI from their end vide this Ministry's d.o letter No.I/12014/13/2000-



NCB(Vol.IV) dated 15/1/04. Hence no action is pending on our part.

**Para 6 and 8 of Annexure B and Para 6 of Annexure C**

In these paras the Commission had referred their letter dated 17/2/03 requesting original or authenticated true copies of the documents exhibited by the various deponents and various Govt. departments filed before the Justice Khosla Commission of Inquiry. As the most of the deponents have enlisted in the above referred letter pertain to period 1952 to 1960, the MEA was requested to ascertain whether those documents as asked for by the Commission are available with them. The MEA intimated that since the Khosla Commission was constituted by Ministry of Home Affairs the relevant documents could be available with this Ministry. Despite various efforts no documents including proceeding and exhibits filed by various deponents before the Khosla Commission of Inquiry could be traced from the available 317 files of Khosla Commission. In this connection it is worth to mention that this Ministry could able to furnish a comprehensive list of 296 files of Khosla Commission containing personal service matter of the staff, house keeping aspects, affidavits received from members of the public and similar request received from some prominent persons for deposition before the Khosla Commission, with request that these files could be scrutinized by an officer of the Commission in Delhi and if any of them are found to be useful they may be requisitioned by the Commission. Subsequently JMCI vide their letter No.JMCI/Meeting-proceedings (Follow Up)/-99-2000/48/506 dated 7/2/01 desired that 95 files out of 296 may be made available to Shri S.N. Singh, Section Officer, JMCI for studying. Shri S.N Singh scrutinized not only 95 files but all the existing 317 files of Khosla Commission and conveyed the JMCI that no exhibits or proceedings of Khosla Commission are available in the existing documents of this Ministry. Accordingly, the Commission was informed vide this Ministry's affidavit dated 27/2/01 intimating that the records pertaining to Khosla Commission of Inquiry were made available to the Commission and no further records in respect of proceeding of Khosla Commission of Inquiry were available. This position was clarified time and again vide this Ministry's letters dated 12/5/03, 24/9/03 and 20/2/04. In this circumstances it may be mentioned that since the entire documents of Khosla Commission have been checked by S.O of JMCI and the Commission is very much aware of the factual position, it is not understood as to why these issues are being shown pending against this Ministry time



and again. As such the Commission should rely to the existing thousands documents/records made available by this Ministry and other Departments from time to time.

**Para 7 of Annexure C**

In this para, it has been stated that copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries Departments/Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India have been kept informed by the Commission accordingly. So far this Ministry is concerned no affidavits filed by different deponents are pending with this Ministry. Hence no action is required to be taken.

**Para 11 of Annexure B**

The factual position of these documents referred at Sl.No.2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of Para 2 of the letter No.281/12/1/2000-TS dated 13/11/02 of the Cabinet Secretariat are as follows:-

Sl.No 2(ii) referred Cabinet Sectt. F.No.10/22/CF-68 containing Cabinet <sup>note</sup> No.1/18/68-coin dated 17/5/1968 regarding issue of commemorative stamps/coins of Netaji Subhash Chandra Bose on 21.10.68 on the occasion of the silver jubilee of Azad Hind Government. This was originated from Ministry of Finance, D/o Economic Affairs and this Ministry requested M/o Finance to communicate their views whether the said Cabinet Note can be declassified or has to be retained as classified. The reply is still awaited. However JMCI was advised to take up the matter with Deptt. of Economic Affairs, M/o Finance.

Sl.No.2(iii) referred Cabinet Sectt. F.No. 6/5/9/77- containing Cabinet note dated 17/11/77 (F.No.1/12014/9/77-D.III(S&P) and 18/2/70(F.No.29/48/69-Poll.II) regarding Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhash Chandra



Bose. This document is available in this Ministry's F.No. 12014/9/77-D.III which has already been made available to the Commission on 20/12/2000. However copy thereof is available for onward transmission to JMCI.

Sl.No.2(iv) referred Cabinet Sectt. F.No.10/21/CF-68 containing cabinet decision on 6.3.70 regarding fresh inquiry into the alleged death of Netaji Subhash Chandra Bose. In this connection it may be mentioned that the relevant F.No. 29/48/69-Pol-II is not available. The factual position has already been conveyed to the Commission vide this Ministry's affidavit dt. 27/2/01 and this Ministry's letter of even number dated 3/1/03 (P.76/cor.). However, a copy the Cabinet decision dated 6/3/70 has been obtained from the Cabinet Secretariat and is enclosed for JMCI.

Sl.No.2(v) referred Cabinet Sectt. F.No.6/1/6/74-CF containing Cabinet decision on 29.8.74 regarding the report of the one-man Commission of Inquiry into the disappearance of Netaji Subhash Chandra Bose. This document is available in this Ministry's F.No.31/2/74-Pol D.III which was made available to the Commission on 20.12.2000. However, a copy thereof obtain from Cabinet Sectt. is available for passing on to JMCI.

Sl.No.2(vi) referred Cabinet Sectt. F.No.6/5/1/91-TS containing CCPA decision on 10/1/91 on dispute regarding ashes of Netaji Subhash Chandra Bose and also controversy about whether Netaji is dead or still alive. This document is available in this Ministry's F.No.I/12014/6/90-IS(D.III) which was made available to the Commission on 20/12/2000. However, a copy thereof obtained from Cabinet Sectt. is enclosed.

#### **Para 4 of Annexure C**

So far as para 4 is concerned wherein the Commission has referred their letter dated 29/1/02 regarding making available for perusal of the authorized representative of the Commission, Vol-XVIII, XIX and XXII and other volumes excepting first 17 volumes alongwith other relevant files of the Khosla Commission. In this regard it may be clarified that a detail list of records of the documents, books etc. pertaining to Netaji Subhash Chandra Bose available with this Ministry were enclosed with the affidavit dated 19/12/01 filed on behalf of this Ministry. On perusal of the Annexure of the affidavits indicating the documents available with this Ministry reveals that Vol.Nos.XVIII, XIX and XXII do not contain in the Annexure. As such its availability does not arise. However the result of further



efforts have also been communicated to the Hon'ble commission vide our U.O. dated 11/4/02. Our Council is accordingly requested that this position may be explained to the Commission.


Para 5 of Annexure C

We have made various efforts but no specific affidavit allegedly filed by the Govt. of India before the Khosla Commission regarding instruction/missing of 34 confidential files could be traced from the existing 317 files of Khosla Commission. This position may also required to be explained to the Commission.

Keeping in view of the parawise factual positions shown against Ministry of Home Affairs, it will be appreciated that our council, Shri Tarakeswar Pal take an initiative to convince the Commission as well as deponents during proceeding of the Commission as and when held and get the matter sorted out that no issues raised by the Commission from time to time against this Ministry are pending. The Commission may also be advised suitably that it needs to be more focused, selective and collective evidence based on the various documents made available by this Ministry and other Ministries/Departments as well as the evidence obtained by the Commission from abroad and produced by the deponents so as to complete its inquiry.

So far as long pending issues indicated in respect of rest of the paras of Annexure B and Annexure C are concerned, all these come under the purview of Ministry of External Affairs & PMO. If agreed to we may request MEA that the factual position in respect of pending issues shown against them may be conveyed to Shri Tarakeswar Pal, Sr. Standing Consel, Kolkatta, so that he may able to defend the interest of Govt. of India on the pending issues raised by the Committee from time to time.

A DFA is placed below.

  
(M.S. ZUHA)  
18/5/04  
DESK OFFICER

DIRECTOR(S)

The notes on the preceding pages elaborate all the issues raised by our advocate, Shri Pal. But para 7 of Annexure C (regarding the copies of the affidavits filed by deponents before the Mukherjee Commission, which were sent to MHA, for coordinating with different ministries/Depts for the purpose of countering allegations/assertions raised therein) is not clear.

There are many other issues which pertain to MEA and PMO.



From overleaf

on the ends to RA, addressed to JSCJ,  
in para 6, Sir Pat has asked for  
many things (may be, these are  
some affidavits which have mentioned  
in para 9 of Annex. C).

Before the above matter is  
further clarified, we may send the  
copy of the letter of Sir Pat  
alongwith its encls. to MEA and PMS  
for elaborating on the points pertaining  
to them (with a copy enclosed to  
Sir Pat.).

May like to see for further  
orders pl.

Is/ps

Shankar

25/3

Pl. discuss on 31.3.2004 along with D.O.

Recd.  
29.3.2004

Di(r.)

to Secy

27/3  
28/3

1309/Disc/2004  
29/3


967  
29/3  
U.S. Security/04  
12004



Ministry of Home Affairs  
NCB-II Desk

....

A draft reply to Shri Tarakeswar Pal, Sr. Standing Counsel to JMCI is placed below for signature please.

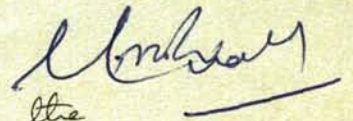
  
(M.S. ZUHA)  
DESK OFFICER

DIR(S)

These (DRA) are the feedback on the issues raised by our joint counsel, and are same, raised up by the commission again and again.

I am trying to contact Shri Pal our counsel so that a date could be fixed up for visiting him and explaining the position in person. Meanwhile, the replies as per DRA could be dispatched to Shri Pal, if approved.

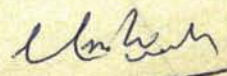
Submitted for



Pls. use that the information given is fairly correct. One reply to the joint counsel should be made in such a way that he is able to explain the position to the JCI. 13/4

Dir(s)

may pl. keep the observations of JCS in view before finalizing. 13.4.2004.



15/4

1576/Dir. Secy  
13/4

No. 1125  
15/4  
D. S. Security/DA  
12004

Mr. Menon

Dr. Zuhra



Ministry of Home Affairs  
NCB-II Desk

.....


FR may kindly be seen.

Our Consel, Shri Tarakeswar Pal has forwarded three documents viz i) order of the Hon'ble Commission as was passed on 5/2/04 ii) a Status Report of the Commission for the month of January and iii) a list of some long pending matters of the Commission with the Govt. of India and desired replies on these 3 documents. He has also desired that a responsible officer may also be deputed for consultation on whole matters.

So far as replies on the above 3 documents are concerned, it may be stated that each and every issue shown pending against this Ministry has been examined and our Consel has been informed vide this Ministry's letter dated 19/4/04 (P 134-138/cor.). In regard to long pending issues shown against MEA, it may be mentioned that a copy of the previous communication received from our Consel has already been sent to MEA with request that a suitable reply in respect of the pending issues pertaining to their Ministry may be sent to the Consel to enable him to defend the interest of the Govt. As such no further action is called for at this stage.

However since the Commission has been raising the long pending issues despite issuing our clarification time and again and whereas Since nothing is pending on our part, our consel is required to convince the Commission categorically that no proceedings/exhibits and other documents relating to Khosla Commission are available except those which have been made available to the Commission. For this purpose it is necessary that Dir(S) is advised to proceed for Kolkatta to brief the Consel accordingly.

Submitted please.

  
(M.S. ZUHA) 25/4/04  
DESK OFFICER

DIR(S)

For an last 4 many days,  
I have been trying to contact  
Mr. Pal but to no avail.  
we may write to him as  
to when we can meet him

14/5

DDC on 14/5/04


1933/14/5  
14/5  
14/5



Ministry of Home Affairs  
NCB-II Desk

....

A draft reply to Shri Tarakeswar Pal, Sr. Standing Counsel to  
JMCI is placed below for signature please.

  
(M.S. ZUHA) 18/5  
DESK OFFICER

DIR(S)


cc  
18/5

DD (in reply)

Revised fair draft placed below  
for sign. & issue pl.

Dir(S)

  
18/5

  
18/5

DD (in reply)



Ministry of Home Affairs  
Security Division

.....

FR under submission is a letter from Shri P.K. Sengupta, Secretary, Justice Mukherjee Commission of Inquiry reg. request for access to the relevant documents relating to Netaji lying with Govt. of Vietnam. We may forward the copy of FR to MEA and copy to JMCI as per DFA.

*M. S. Zuhra*  
3/12/04  
(M.S. ZUHA)  
DESK OFFICER

DIR(S)

may kindly see  
before issue

*M. S. Zuhra*  
08/1/05

DS(S)

*Reel*  
3.1.2005

DS(S)

*M. S. Zuhra*  
03/1

do in many

*1/10/05*  
*1/11/05*  
*1/12/05*



-14-

**Ministry of Home Affairs  
(NCB-II Section)**


.....

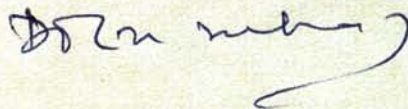
**Ref. FR**

**We may forward the copy of proceedings dated 21/2/05 to Shri Tarakeshwar Pal, Advocate & Sr. Standing Counsel to Government of India, for seeking the factual position as per DFA.**

DIR(S)

  
(M.S. ZUHA)  
DESK OFFICER

  
7/2





S.No. 1(R)  
JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata-700 087

Phone:

Chairman - 2252-2835  
Secretary - 2252-2767  
Officer on Special Duty - 2252-2765  
Office - 2252-2766/68

Fax : 0091-033-2252-2765

e-mail :

jmcinscb@cal.3.vsnl.net.in

No. JMCI/Meeting-Proceedings (Follow Up)/-

Dated : 19.12.2003.

99-2000/48(V)/366(7)

From : Shri M. Roy, IAS (Retd.),  
Officer on Special Duty

- ✓ To: 1) The Secretary,  
Ministry of Home Affairs,  
Government of India, North Block,  
New Delhi-110001.
- 2) The Secretary,  
Ministry of External Affairs,  
Government of India, South Block,  
New Delhi-110001.
- 3) The Secretary,  
Prime Minister's Office,  
Government of India, South Block,  
New Delhi-110001.
- 4) The Secretary,  
Cabinet Secretariat, Govt. of India,  
Rashtrapati Bhavan,  
New Delhi-110004.
- 5) The Secretary,  
Ministry of Defence (History Division),  
Govt. of India, West Block, Wing-I,  
R.K. Puram, New Delhi-110066.
- 6) The Secretary,  
Ministry of Information & Broadcasting,  
Govt. of India, Akashbani Bhavan,  
Parliament Street, New Delhi-110001.
- 7) The Director,  
Intelligence Bureau, Govt. of India,  
Ministry of Home Affairs, North Block,  
New Delhi-110001.

S i r,

I am directed to send herewith xerox copies of the Commission's Status Report as on 24.11.2003 and its Proceedings dated November 27, 2003 for your kind information and for favour of taking necessary action at your end.

Yours faithfully,

( M. Roy )

Officer on Special Duty

Encl : As stated above.

S/NB-2/04  
2/1

023149

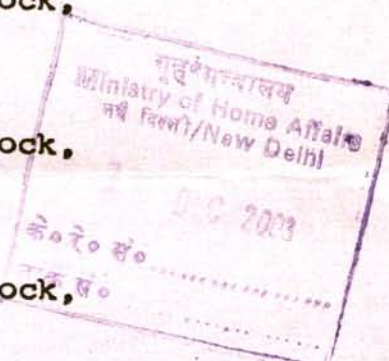
copy to  
2/1/04

2-5-VII  
20/12

Not for 15-12-03

Ad. King  
20/12

1/1/04  
2/1/04





12

**Status Report as on 24.11.2003 (Forenoon) showing action taken on / compliance with orders/directions of the Commission including those contained in the various proceedings.**

- For Inf.*
- For Inf.* 1. Xerox copies of the Commission's Status Report as on 12.09.2003 (Forenoon) and of its proceedings dated September 16, 2003 have been forwarded to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs, Prime Minister's Office, Cabinet Secretariat, Ministry of Defence (History Division), Ministry of Information and Broadcasting, as also to the Director, Intelligence Bureau, Government of India, for their information and favour of taking necessary action at their end.
  - For Inf.* 2. A notice has been sent to each of the deponents and other parties concerned regarding the next hearing of the Commission on November 27, 2003 and if need be, on November 28, 2003 as well, in the Annexe Building, Mahajati Sadan, Kolkata and summons have been issued to six witnesses for their examination/further examination at the time of the said hearing.
  - For Inf.* 3. (a) Xerox copies / authenticated copies of various files / records of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/records in appropriate cases  
(b) The Commission has been pursuing with the Departments/Ministries concerned, Government of India for various files/documents/records called for from them which are yet to be received by the Commission.  
(c) Following a query raised by the Commission, the National Archive of the Government of the U.K. has given the Commission to understand that there are certain documents with them which may be of interest to it (the Commission). Accordingly, steps have been taken to obtain photo-copies of three of those documents which relate to the relevant period. The photocopies called for are being awaited from the said National Archives.
  - For Inf.* 4. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected by/furnished to the Commission and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries.
  - M&H.* 5. By Commission's letter No. JMCI/EO/2002-03/83(III)/245 dated September 05, 2003 the Secretary, Ministry of External Affairs, Government of India, has been furnished with a copy of the news item captioned, "Government to authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday, October 28, 1995 and has been requested to let the Commission know what has actually happened with regard to the reported decision of the



3) Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA expert, viz., Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India. Their response is still awaited.

- MHA.
6. By Commission's letter No. JMCI/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No.I/12014/13/2000-NCB dated 19/24.09.2003 does not state specifically as to whether the documents called for by Commission's letter No.JMCI/11/2000/542 dated February 17, 2003 are in existence or not. It was also stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence the reason for which those have not yet been sent to the Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is awaited.
- rem bf
7. The remnants of sealed specimens (teeth) and sealed blood samples have been collected from CDFD, Hyderabad on completion of DNA finger-printing examination there and those have been made over to the Central Forensic Science Laboratory, Kolkata, for proper preservation since the Commission has decided to get a second opinion on the issue. Efforts are also being made to collect blood samples of some more descendants of the sisters of Netaji for DNA tests.
8. In the d.o. letter No. JMCI/Overseas/Witness/2002-03/70(Vol.II)/330 dated November 11, 2003 of the Secretary of the Commission addressed to the Director (CNV), Ministry of External Affairs, Government of India, it has been pointed out that xerox copies of relevant communications received by the Commission through e.mail from Shri Anuj Dhar and by post from the Mayor of Taipei on the point of the alleged plane crash at Taipei have already been sent to her by Registered Post with A.D. under Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/292 dated 17.10.2003. It has also been pointed out in the said d.o. letter of the Commission that since the Government of India do not recognize 'Republic of China' or 'Taiwan' and do not have any official dealings with them, as stated in the said d.o. letter dated 24.09.2003 of the Director (CNV), and since the Director, Taipei Economic and Cultural Centre, New Delhi, on being approached by the Commission for some information relating to its inquiry has informed that they cannot render any help or assistance to the Commission, hence, in the interest of the ongoing inquiry of the Commission, it has no other alternative but to directly approach the authorities concerned in Taipei to procure relevant documents, getting information about some relevant places in Taiwan and collect the whereabouts of the relevant witnesses, if any, available there, keeping the Ministry of External Affairs, Government of India, informed from time to time of the development in this regard, notwithstanding the request made in the said



MBA

d.o. letter dated 24.09.2003 of the Director (CNV) "that any information required to be obtained from Taiwan may be referred to the Ministry" i.e. Ministry of External Affairs, Government of India. In the said d.o. letter of the Commission the Ministry of External Affairs, Government of India was, however, requested to extend all possible help and assistance to the Commission in the matter.

MBA

9. The Minister of Foreign Affairs and the Minister of Transport and Communications, Taipei, Taiwan have been requested, inter alia, by Commission's letter Nos. 258 and 257, both dated September 12, 2003 respectively, to kindly furnish the Commission with authenticated copies of relevant documents relating to the information allegedly furnished to Shri Anuj Dhar by them by e-mails. No response has yet been received from Taiwan to the said letters of the Commission.

MBA

10. (a) By Commission's d.o. letter No.JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her d.o. No.24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed to Prof. E.N. Komorov of Moscow Academy of Sciences, and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery; that her said d.o. letter dated October 13, 2003 is also silent about outcome of the request of the Commission to approach the Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs was further requested in that letter to let the Commission know the result of the requests made in paras 1,2 and 3 of its said letter dated April 1, 2003. Their reply is awaited.

Por if

- (b) The reports regarding availability of relevant documents in all the remaining archives of the Russian Federation including the KGB Archive and an exhaustive list of all the archives of the Russian Federation are yet to be received.

MBA

- (c) The report of the Indian Consulate of St. Petersburg as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, is yet to be received by the Commission in spite of several reminders to the said Ministry.



9

11. Under the Commission's letter No. JMCI/Overseas/Witness/2002-03/70(II)/265 dated September 17, 2003 addressed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, with copy thereof endorsed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, three Notices have been sent with a request for their publication through the Indian Embassies / Indian Missions at Singapore, Bangkok and Saigon in English as also in the respective local languages so that the people of those places may know about the Commission and the terms of its ongoing inquiry and depending upon the response of the local people of the said places that may be evoked by the publication of the notices, the Commission may take a decision regarding its visit to those places for examination of the witnesses and collection of relevant documents and materials whichever may be available there. The d.o. letter No.25/4/NGO/Vol.X dated 03.11.2003 of the Director (CNV) (received by the Commission in the afternoon of 21.11.2003) states that the aforesaid three notices have been sent by the Ministry of External Affairs, Government of India, to the Indian Missions concerned for publication as desired by the Commission and the said d.o. letter encloses copies of newspaper clippings dated 27.10.2003 / 28.10.2003 of the notice reportedly appeared in the leading English, Tamil, and Mandarin language newspapers in Singapore.

12. By Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/323 dated November 6, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention was drawn to the second para of the letter dated 30.08.03 of the National Archives of Malayasia enclosed to her d.o. letter dated 12.09.2003 wherein it is stated, inter alia, : "Should we chance upon any information on him (Netaji Subhas Chandra Bose) in future, we will certainly write to you again" and the Director (CNV) was requested to kindly pursue the matter with the National Archives of Malayasia closely and keep the Commission informed of the outcome in time.

13. The Commission by its letter No. JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post-Graduate class in the U.S.A. indicating / suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

14. The report of the second handwriting expert regarding comparison of the handwritings allegedly of 'Gumnami Baba' of Faizabad with admitted specimen handwritings of Netaji Subhas Chandra Bose has been received by the Commission on July 23, 2003. The specimen handwritings of Netaji Subhas Chandra Bose and the first bunch of documents containing a number of questioned handwritings allegedly of 'Gumnami Baba' of Faizabad have been made over to the third handwriting expert on August 28, 2003 for necessary comparison of those two sets of handwritings. Further development in the matter is awaited.



15. In d.o. letter No.25/4/NGO/Vol.IX dated September 23, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, which is in response to Commission's letter No.JMCI/CPDC /2002/432 dated November 27, 2002 it has been stated inter alia : "After repeated reminders and follow-up by our Mission in Tokyo the Japanese Ministry of Foreign Affairs has responded in the matter (of obtaining original documents relating to the alleged cremation of Netaji Subhas Chandra Bose) through a written communication dated September 10, 2003, conveying that they have not been able to trace the documents (Cremation Permit) sought for by the J.M.C.I.. A copy of the said written communication dated September 10, 2003 of the Ministry of Foreign Affairs, Government of Japan sent to the Commission as an enclosure to the said d.o.letter dated September 23, 2003 of the Ministry of External Affairs, Government of India, states in para 2 of their said letter dated September 10, 2003 "We have tried our best to find out in our old files, a copy of the documents (relating 'Cremation Permits') required by Justice Mukherjee. However, we are not able to find it so far. You may understand how difficult it is to find out nearly half a century old documents" as also states in para 3 thereof : "If Justice Mukherjee has further specific inquiry, please let us know. We will try our best to cooperate for his effort"(sic.). The request made by the Commission to the Ministry of External Affairs, Government of India, in Commission's aforesaid letter dated November 27, 2002 has been "the Government of Japan may be persuaded to get from the Government of Taiwan the original Register of Cremation Permits for the period from 18.08.1945 to 21.08.1945, the original application for Cremation Permit allegedly filed on 18.08.1945 in the name of Chandra Bose or Subhas Chandra Bose, original application for Cremation Permit, if any, filed on 18.08.1945 or 19.08.1945 in the name of Ichiro Okura, the original death certificate allegedly issued in the name of Subhas Chandra Bose and the original death certificate, if any, in the name of Ichiro Okura so that the Commission may have access to these documents." In view of the aforesaid position the matter is being pursued further with the Government of Japan through the Ministry of External Affairs, Government of India.

16. By Notification No. S.O. 1313(E) dated November 14, 2003 received by FAX on November 19, 2003, the term of the Commission has been further extended for a period not later than 14.05.2004 by the Ministry of Home Affairs, Government of India.



17

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 27<sup>th</sup> November, 2003 (25<sup>th</sup>) held at the Seminar Hall, Annexe Building, Mahajati Sadan, 166 Chittaranjan Avenue, Kolkata-700 007

November 27, 2003

Of the six witnesses summoned for today, three witnesses, namely, Dr. Purabi Roy (JMCI/45/2000), Shri Manoranjan Ghosh (JMCI/36/2000) and Smt. Mamata Das are present.

Of the three absentees, Shri Rishi Ranjan Chakraborty has prayed for adjournment on the ground of his going abroad, while Shri Pabitra Mohan Ghosh has, by filing a petition, prayed for adjournment on the ground of his illness. Summons upon the other witness, namely, Shri Syed Samsul Zaman could not be served.

Dr. Purabi Roy (CW 10), on being further examined, has testified that the statements made in the Supplementary Affidavit filed by her on 20/3/2003 before the Commission are correct. The Supplementary Affidavit and her signature thereon have been marked Exhibits 200 and 200/1 respectively. One article titled "Russian Files – After the Accident Netaji Alive ....." published in the Bengali daily "Ajkal" on 22/9/2003 has been marked Exhibit 201.

Shri Manoranjan Ghosh (JMCI 36) has been examined as CW 111. He has testified that the statements made in the Affidavit filed by him on 7/3/2003 before the Commission are correct. The Affidavit and his signature thereon have been marked Exhibits 202 and 202/1 respectively.

Smt. Mamata Das has been examined as CW 112. One letter dated 10/8/2003 and her signature thereon have been marked Exhibits 203 and 203/1 respectively. One diary allegedly to be of Late Arun Chandra Dutta has been marked Exhibit 204. On her prayer the diary has been returned to her after keeping a verified photo copy thereof.

STATUS REPORT

The parties have been heard in respect of the Status Report as on 24/11/2003.

Shri Rudrajyoti Bhattacharya (JMCI 11) referring to paragraph 15 of the Status Report, has submitted that the Commission should take up the matter with the Government of India for



2

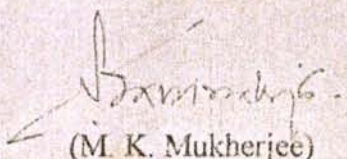
18

access to the original Register of Cremation Permit for the period from 18/08/1945 to 21/08/1945 of the Government of Taiwan. He has been told that steps have already been taken. nra

2. Shri Paras Dutta (JMCI 23) submitted that the contentions of some of the deponents have not been substantiated by documentary evidence. Those may be true or half-true. The Commission should constantly insist on the Government of India for production of the records the sources of which have been referred to by the different deponents.

3. Shri Subroto Bose (JMCI 27) expressed his annoyance about the attitude of the Government of India as well as the Ld. Senior Standing Counsel representing the Government of India as regards the availability of the records. | 3

4. Shri Nandalal Chakraborty (JMCI 11) submitted that no comments should be passed about the truth of the depositions of the deponents at this stage.

  
(M. K. Mukherjee)  
Chairman



No.I/12014/13/2000-IS D.III/NCB (Vol.VI)

Government of India  
Ministry of Home Affairs

.....

New Delhi, dated 1.3.04

To


Shri Tarakeswar Pal,  
Advocate & Sr. Standing Counsel to the  
Government of India,  
Justice Mukherjee Commission of Inquiry,  
Bar Association, Room No.5,  
High Court of Kolkata,  
Kolkata.

Enclosed please find herewith Commission's Status report as on 24.11.03 and its proceedings dated 27.11.03 for information and for favour of taking necessary action at your end.

Perusal of the Status report as on 24.11.03 reveals that Shri Subroto Bose (JMCI 27) expressed his annoyance about the attitude of the Govt. of India as well as the Ld. Senior Standing Council representing the Govt. of India as regards the availability of the records which appears that his annoyance are not based on facts.

As you are representing the MHA, it will be appreciated if your comments is furnished to this Ministry at the earliest so that a suitable reply is sent to the Commission.



  
(UMESH KALRA)  
DIRECTOR(S)



Tarakeswar Pal

Advocate

Senior Counsel - I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of  
Netaji Subhas Chandra Bose

Office :

Room No. : 5

Bar association,

High Court, Calcutta,

Phone : (033) 248-3190/3169,

Fax : (033) 248-2313,

E-mail : barasohc@cal.cmc.net.in

Residence &amp; Chamber:

Purnasasi,

33, Asoke Avenue,

(Off. &amp; Opposite Navanir),

Kolkata - 700 040,

Phone : (033) - 471-0592,

Fax : (033)-471-1204.

Ref: .....

Date: 26th February, 2004

To  
Sri Lal Krishna Advani,  
Hon'ble Deputy Prime Minister,  
and the Minister of Home Affairs,  
Govt. of India,  
Prithviraj Road,  
New Delhi - 110 011.

Mananiya Advaniji,

Re. : Working of Justice Mukherjee  
Commission of Inquiry Into The  
Alleged Disappearance Of Netaji  
Subhas Chandra Bose.

Sadar Namaskar.

It is about five years to complete after the  
Commission was set up. To complete the reference some more  
time is required. But there are about 20 matters pending along  
with the Govt. of India. These require to be resolved as soon  
as possible, otherwise the things are running delayed .

2. With this delay, the political parties are  
taking scope to misrepresent the people. A recent propaganda by  
the Forward Block can be seen from the news item annexed herewith  
(marked - 'A'). A media conference is required.

3. I also annex herewith copies of my letter  
dated this day, to the Joint-Secretary of your Ministry along  
with Commission's list of pending matters herewith for your  
information (collectively marked - 'B').

4. In view of above may I request your pleasure  
for taking necessary actions in the matter as soon as possible.

Thanking you,

With regards,  
Yours faithfully.

Tarakeswar Pal

( Tarakeswar Pal )  
Advocate



JS (IS)  
B (S) (on level)  
Dir (S)  
Law  
Asstt. P.S. to Dy. Prime Minister  
Govt. of India  
NEW DELHI

No. 768. 17.8.2004  
513

1036/Dir (S) 7/3

At p.m. up  
28/3  
D.C. (an n.h.)



FR

H. elaborate  
every point  
pertaining to  
MHA

This has been  
discussed  
in TSCS)

October, ~~my~~ 04/3



## Netaji panel accused of apathy

KOLKATA, Feb. 20. — The Forward Bloc leadership today accused the Centre of not co-operating with the Mukherjee Commission inquiring into the disappearance of Netaji Subhas Chandra Bose.

"The government of India is trying to fool the people of this country. Its for you (media) to find out what the political compulsions are that has led successive governments to hide facts about Netaji's disappearance," the Forward Bloc general secretary and MP told the press today.

Mr Biswas had sent a letter to the deputy prime minister, Mr L. K. Advani, in October last year requesting the Centre's co-opera-

tion in this matter. Mr Advani's reply on 3 February read: "Your assumption that the government is not taking a keen interest in the activities of the commission is not based on facts."

Mr Biswas wrote another letter to the minister stating that the Centre has not done anything to procure documents from foreign countries pertaining to the alleged air crash at Taohoku on 18 August 1945.

"The government has also not talked to the Russian government although the commission wants to procure the documents from the archives there," Mr Biswas alleged today. — SNS

The Statesman,  
Kolkata, 21st February, 2004.



*Tarakeswar Pal*

Advocate

Senior Counsel - I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of

Netaji Subhas Chandra Bose

Office :

Room No. : 5

Bar association,

High Court, Calcutta,

Phone : (033) 248-3190/3169,

Fax : (033) 248-2313,

E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:

Purnasasi,

33, Asoke Avenue,

(Off. & Opposite Navanir),

Kolkata - 700 040,

Phone : (033) - 471-0592,

Fax : (033)-471-1204.

**BY REGISTERED POST WITH A/D**

Ref:.....

Date **26th February, 2004**

To  
Sri Rakesh,  
Joint Secretary (Security)  
Ministry of Home Affairs,  
Government of India,  
New Delhi - 110 001.

Dear Sir,

Re. : Long pending matters of the Justice  
Mukherjee Commission with the Govt.  
of India.

In reference to above may I bring it to your notice  
as following :-

1. By an order during the last hearing on 5th February, 2004  
I have been placed to answer the result of the matters  
pending for long with the Govt. of India.
2. In the meantime you have received the enumerated list of  
the pending matters numbering twelve (Annexure : B) and  
list of important pending matters number eight (Annexure : C)
3. Out of these pending matters <sup>seven</sup> ~~sum~~ relate to the Ministry of  
Home Affairs alone, two along with Ministry of External  
Affairs, two relate with the PMO and the rest with the  
Ministry of External Affairs <sup>alone</sup>.
4. For early completion of the Commission work the settlement  
of those matters are necessary, apart from the fact that I  
am to reply thereon in the next hearing.
5. To apprise the whole affairs a detailed consultation is



*Tarakeswar Pal*

Advocate

Senior Counsel - I, To The Government of India

In Justice Mukherjee Commission Of

Inquiry For Inquiry Into The Alleged Disappearance Of

Netaji Subhas Chandra Bose

Office :

Room No. : 5

Bar association,

High Court, Calcutta,

Phone : (033) 248-3190/3169,

Fax : (033) 248-2313,

E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:

Purnasasi,

33, Asoke Avenue,

(Off. & Opposite Navanir),

Kolkata - 700 040,

Phone : (033) - 471-0592,

Fax : (033)-471-1204.

Ref : .....

- 2 -

Date.....

required. Kindly send a responsible officer at your disposal, as soon as possible.

6. With the said Officer please send the following documents :

a) A copy of the report of your Ministry under No. 1/12014/13/2000-NCB dated 19/24.09.2003.

b) Copies of orders extending the tenure of the Commission.

c) Copies of Affidavits as following and asked for long by me lastly by my letter dated 24th June, 2002 (without which I am indifficulty in the hearings) :

i) Usha Ranjan Bhattacharyya (as sent by me to your office by my letter dated 1.8.2001).

ii) Subrata Bose and others (so sent by my letter dt. 2.8.2001).

iii) Nirmal Sinha and others (so sent by my letter dt. 10.8.01).

iv) Dr. Madhusudan Paul (so sent by my letter dt. 20.8.2001).

v) Bijon Ghosh (so sent by my letter dt. 26/28.8.2001).

vi) All India Forward Bloc (so sent by my letter dt. 29.8./3.9.2001)

vii) Jyotish Chandra Bose and others (so sent by my letter dated 11/14.9.2001).

7. A copy of news item published on 21st February, 2004 in the *Statesman* ~~statesman~~ is sent herewith. Such media reports are time to time coming out. I think it is a high time to answer the allegations. Kindly arrange for a media conference in the matter to stop misconception.

Thanking you,  
With regards,

Yours faithfully,



## Some Long Pending matters of the Commission with the Govt. of India

1. As far back as on September 05, 2003 the Commission along with its letter No. JMCI/EO/2002-03/S3(III)/245, addressed to the Secretary, Ministry of External Affairs, Government of India, has sent a copy of the news-item captioned, "Government to authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday, October 28, 1995 and has requested him to let the Commission know what has actually happened with regard to the reported decision of the Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news-item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA experts, viz., Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news-item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India. Unfortunately, their response is still awaited.
2. By Commission's d.o. letter No JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her <sup>letter</sup> d.o. No.24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed to Prof. E.N. Komorov of Moscow Academy of Sciences, and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery; that her said d.o. letter dated October 13, 2003 is also silent about the outcome of the request of the Commission to approach the



Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1,2 and 3 of its said letter dated April 1, 2003. Their reply is still awaited.

3. By Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the attention of the Joint Secretary (CNV) has been drawn to the d.o. letter No.25/4/NGO/Vol.X dated 13.10.2003 of the Director (CNV), Ministry of External Affairs, Government of India, and he has been requested to kindly let the Commission know immediately the present position of the other pending matters mentioned in the d.o. letter No.25/4/NGO-Vol(IX) dated 27.06.2003 of the Ministry as also to send a complete list of all the archives of the Russian Federation. The reports called for are still awaited.

4. By Commission's letter No.JMCI/CPDC/2002/86/394 dated January 08, 2004 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention has been drawn to her d.o. letter bearing No.25/4/NGO/Vol.X dated 25.11.2003 and she has been requested to kindly send to the Commission a progress report in the matter of their exploring alternative options for seeking the assistance of other agencies/organizations for obtaining the requisite documents concerning the alleged air crash at Taihoku on August 18, 1945 and the alleged consequent death of Bengji and she has also been requested to make available to the Commission as early as possible all the relevant documents in the matter. In this connection it may be added that when it proposed to visit Taiwan in 2002 the Commission was made to understand that the Government of India would not be in a position to make any payment on behalf of the Commission in Taipei and that the payment for all services in Taipei including the cost of hotel accommodation, transport, interpreter, photographer, etc., would need to be made directly by the Commission itself and



that publication of the notice in leading local dailies in English and local languages in Taiwan regarding holding of the hearing of the Commission in Taiwan would have to be arranged by the Commission itself. Consequently, the Commission made endeavours to contact the authorities in Taiwan to know about the availability of relevant documents and relevant witnesses in Taiwan as the Ministry of External Affairs, Government of India, expressed their difficulties to render the required help and assistance in the matter to the Commission on the ground that the Government of India is not having any diplomatic relations with the Government of Taiwan. Subsequently, the Ministry of External Affairs advised the Commission (vide d.o. letter No. 25/4/NGO/Vol.IX dated September 24, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, to the Secretary of the Commission) not to approach the authorities of Taiwan in the aforesaid matters directly but to write to the Ministry of External Affairs for the information required to be obtained by the Commission from Taiwan.

MEA

5. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries. In this connection Commission's letters no. JMCI/DOC(FOR)/99-2000/56(iv)/398 dated November 11, 2002, and no. JMCI/Overseas/Witnesses/2000-01/70/433 dated November 27, 2002, both addressed to the Joint Secretary (CNV), Ministry of External Affairs, Govt. of India, and its letter no. JMCI/Overseas/Witnesses/2000-01/70(ii)/621 dated April 01, 2003 addressed to the Secretary, Ministry of External Affairs, Govt. of India, may kindly be referred to.

E

MEA



By Commission's letter No. JMCL/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No.I/12014/13/2000-NCB dated 19/24.09.2003 does not state specifically as to whether the documents called for by Commission's letter No.JMCL/11/2000/542 dated February 17, 2003 are in existence or not. It has also been stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence, the reason for which those have not yet been sent to the Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is still awaited.

7. By Commission's letter No.JMCL/Overseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Shri Vijay Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned, "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter No.25/4/NGO-Vol.IX dated May 7, 2003 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation, and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.

8. By Commission's letter No. JMCL/Meeting-Proceedings/(Follow-Up)/99-2000/48(V)/322 dated November 5, 2003 addressed to Shri Umesh Kalra, Director (IS), Ministry of Home Affairs, Government of India in response to the factual position regarding para 5 as indicated in Shri Kalra's letter No.I/12014/13/2000-IS-V (NCB)/Vol.V dated 31.10.03, it has been pointed out that the 317 files of Khosla Commission mentioned therein do not contain either the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said



Commission (as received by us) appear to contain only some parts of its proceedings. The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

9. The Commission by its letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post-Graduate class in the U.S.A. indicating / suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

10. With Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27<sup>th</sup> August, as collected from the U.K. in course of the visit of the Commission to London, has been sent to the said Joint Secretary with the request to kindly let the Commission know as expeditiously as possible, the result of the inquiry initiated by the Viceroy as mentioned in the aforesaid document bearing No.5190. Their response is awaited.

11. In Commission's letter No.JMCI/Meeting-Proceedings (Follow Up) X 99-2000/48(V)/376 dated December 26, 2003 addressed to the Secretary, Ministry of Home Affairs, Government of India, it has been pointed out, inter alia, that the documents mentioned in para 2(iii), 2(v), and 2(vi) of the Cabinet Secretariat's letter No.281/12/1/2000-PS dated November 13, 2003 could not be traced out in Ministry of Home Affairs' files No. 1/12014/9/77-D.III, No.1/12014/6/90-IS (D.III), and No.51/2/74-Pol. D.III (2 Vols.) in spite of thorough search not only by the Officers of the Commission but also by one Officer of the Ministry of Home Affairs in course of his visit from New Delhi to the Commission's Office in Kolkata, though it



has been stated in para 2 of the Ministry of Home Affairs' letter No.1/2014/13/2000-IS (D.V) dated January 2, 2003 that those documents are available in the aforesaid files of the Ministry of Home Affairs and that the documents mentioned at para 2(ii) 2(iv) could not be made available to the Commission. The Secretary, Ministry of Home Affairs has, therefore, been requested in the said letter dated December 26, 2003 of the Commission to kindly take all possible steps to ensure early transmission of all the aforesaid five documents mentioned at para 2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of the aforesaid letter of the Cabinet Secretariat. Further development in the matter is awaited.

- E
12. The report of the Indian Consulate of St. Petersburg [as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(11) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission] is yet to be received by the Commission in spite of several reminders to the said Ministry.



one of the important matters which the Commission has been constrained not to report on the repeated failure of the Ministries/Departments concerned of the Government of India to comply with the directives of the Commission sent in that regard from time to time.

- PMO
1. Shri Morarji Desai, the then Prime Minister of India, made a statement on the floor of the Parliament (Lok Sabha) on August 28, 1978 that 'some further contemporary official documentary records have become available' in the light of which "it is difficult to accept that the earlier conclusions (of the Shah Nawaz Khan Committee and the Khosla Commission) are decisive". But the said 'further contemporary official documentary records' have not been made available to the Commission by the Government of India.
  - E  
2. No follow-up action has been taken by the Ministry of External Affairs, Government of India, as requested by the Ministry of Home Affairs, Government of India on the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India. (vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/449 dated December 5, 2002 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India).
  - PMO  
3. The documents mentioned in the d.o. letter dated February 3, 1998 of Dr. Ramesh Chandra Mazumdar (a renowned historian, since deceased) addressed to Shri Morarji Desai, the then Prime Minister of India, as also those mentioned in the note attached to the said d.o. letter of Dr. Mazumdar (vide c.p.s 16-20 of the Secret File No.2/64/78-PM of the Prime Minister's Office) have not been made available by the Secretaries, Ministry of Home Affairs and Ministry of Information and Broadcasting as called for from them by the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37 (Vol II)/542 dated February 1, 2002.
  - H  
4. Vol Nos. XVIII, XIX and XXII pertaining to the Khosla Commission along with other relevant files / documents / records which have been shown in the Affidavit
- Handwritten signature and checkmark at the bottom of the page.



December 19, 2001 of Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, as called for by the Commission's letter No. IMCI/Records/N.Delhi/99-2000/37(Vol II)/534 dated January 29, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, have not been made available to the Commission.

# 5. The Affidavit allegedly filed by the Government of India before the Khosla Commission regarding destruction/missing of 34 confidential files on Netaji has not been made available to the Commission.

# 6. The documents filed by the Government of India and other parties, if any, before the Khosla Commission which were made exhibits by the said Commission, have not been furnished by the Government of India to this Commission. Not even a comprehensive list of the said exhibits has been filed by the Government of India to this Commission.

# 7. Copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries/Departments/ Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by any of the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India, have been kept informed by the Commission accordingly.

# 8. The Ministry of Home Affairs and the Ministry of External Affairs, Government of India, have been repeatedly requested by the Commission, in vain, to take up the matter with the Government of the U.K. at appropriate levels so that the classified British documents on Netaji Subhas Chandra Bose/INA are got declassified and the Commission can peruse them for the purpose of its inquiry.



No.I/12014/13/2000-IS(D.III)/NCB-II  
Government of India  
Ministry of Home Affairs  
.....

New Delhi dated 2.4.2004

To

Ms Ruchi Ghanashyan,  
Joint Secretary(CNV),  
Ministry of External Affairs,  
South Block,  
New Delhi.

Subject: Long pending matters of the Justice Mukherjee Commission  
with the Govt. of India.

Madam,

I am directed to enclose herewith a communication dated 26/2/04  
alongwith enclosures received from Shri Tarakeswar Pal Sr. Standing counsel  
regarding pending issues shown against MEA as per Annexure 'B' and 'C'.

It is requested that the factual position relating to pending issues  
indicated at Annexure 'B' and 'C' may be conveyed to Shri Tarakeswar Pal,  
Sr. Standing Counsel, Kolkatta so that he may be able to defend the interest of  
the Govt. on the subject raised by the JMCI from time to time.

Yours faithfully,

  
(UMESH KALRA)  
DIRECTOR(S)

Copy to: Shri Tarakeswar Pal, Advocate & Sr. Standing Counsel to the  
Government of India, Justice Mukherjee Commission of  
Inquiry, Bar Association, Room No.5, High Court of Kolkata,  
Kolkata.



RDI Pl. esine  
me  
5/4/04



**Tarakeswar Pal**

Advocate  
Senior Counsel - I, To The Government of India

In Justice Mukherjee Commission Of  
Inquiry For Inquiry Into The Alleged Disappearance Of  
Netaji Subhas Chandra Bose

No. 713 / J. S. / Security / 04  
119 / 2004

Office :  
Room No. : 5  
Bar association,  
High Court, Calcutta,  
Phone : (033) 248-3190/3169,  
Fax : (033) 248-2313,  
E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:  
Purnasasi,  
33, Asoke Avenue,  
(Off. & Opposite Navanir),  
Kolkata - 700 040,  
Phone : (033) - 471-0592,  
Fax : (033)-471-1204.

BY REGISTERED POST WITH A/D

Ref : .....

Date 26th February, 2004

To  
Sri Rakesh,  
Joint Secretary (Security),  
Ministry of Home Affairs,  
Government of India,  
New Delhi - 110 001.

Dear Sir,

Re. : Long pending matters of the Justice  
Mukherjee Commission with the Govt.  
of India.

In reference to above may I bring it to your notice

as following :-

1. By an order during the last hearing on 5th February, 2004 I have been placed to answer the result of the matters pending for long with the Govt. of India.
2. In the meantime you have received the enumerated list of the pending matters numbering twelve (Annexure : B) and list of important pending matters numbering eight (Annexure : C).
3. Out of these pending matters, <sup>seven</sup> ~~eight~~ relate to the Ministry of Home Affairs alone, two along with Ministry of External Affairs, two relate with the PMO and the rest with the Ministry of External Affairs alone.
4. For early completion of the Commission work the settlement of those matters are necessary, apart from the fact that I am to reply thereon in the next hearing.
5. To apprise the whole affairs a detailed consultation is



✓ 24

**Tarakeswar Pal**

Advocate

Senior Counsel - I, To The Government of India  
In Justice Mukherjee Commission Of  
Inquiry For Inquiry Into The Alleged Disappearance Of  
Netaji Subhas Chandra Bose

Office :  
Room No. : 5  
Bar association,  
High Court, Calcutta,  
Phone : (033) 248-3190/3169,  
Fax : (033) 248-2313,  
E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:  
Purnasasi,  
33, Asoke Avenue,  
(Off. & Opposite Navanir),  
Kolkata - 700 040,  
Phone : (033) - 471-0592,  
Fax : (033)-471-1204.

Ref:.....

- 2 -

Date.....

required. Kindly send a responsible officer at your disposal,  
as soon as possible.

6. With the said Officer please send the following documents :

- a) A copy of the report of your Ministry under No. 1/12014/13/  
2000-NCB dated 19/24.09.2003.
- b) Copies of orders extending the tenure of the Commission.
- c) Copies of Affidavits as following and asked for long by  
me lastly by my letter dated 24th June, 2002 (without which  
I am indifficulty in the hearings) :

*affidavit  
19/11/01*

- i) Usha Ranjan Bhattacharyya (as sent by me to your  
office by my letter dated 1.8.2001).
- ii) Subrata Bose and others (so sent by my letter dt. 2.8.2001)
- iii) Nirmal Sinha and others (so sent by my letter dt. 10.8.01)
- iv) Dr. Madhusudan Paul (so sent by my letter dt. 20.8.2001)
- v) Bijon Ghosh (so sent by my letter dt. 26/28.8.2001).
- vi) All India Forward Bloc (so sent by my letter dt. 29.8./  
3.9.2001)
- ✓ vii) Jyotish Chandra Bose and others (s9 sent by my letter  
dated 11/14.9.2001).

7. A copy of news item published on 21st February, 2004 in the *Statesman*  
~~newspaper~~ is sent herewith. Such media reports are time to time  
coming out. I think it is a high time to answer the allegations.  
Kindly arrange for a media conference in the matter to stop  
misconception.

Thanking you,  
With regards,

Yours faithfully,

*Tarakeswar Pal*



## Netaji panel accused of apathy

KOLKATA, Feb. 20. — The Forward Bloc leadership today accused the Centre of not co-operating with the Mukherjee Commission inquiring into the disappearance of Netaji Subhas Chandra Bose.

"The government of India is trying to fool the people of this country. Its for you (media) to find out what the political compulsions are that has led successive governments to hide facts about Netaji's disappearance," the Forward Bloc general secretary and MP told the press today.

Mr Biswas had sent a letter to the deputy prime minister, Mr L K Advani, in October last year requesting the Centre's co-opera-

tion in this matter. Mr Advani's reply on 3 February read: "Your assumption that the government is not taking a keen interest in the activities of the commission is not based on facts."

Mr Biswas wrote another letter to the minister stating that the Centre has not done anything to procure documents from foreign countries pertaining to the alleged air crash at Taohoku on 18 August 1945.

"The government has also not talked to the Russian government although the commission wants to procure the documents from the archives there," Mr Biswas alleged today. — SNS

The Statesman,  
Kolkata, 21st February, 2004.



### Some Long Pending matters of the Commission with the Govt. of India

MBA  
As far back as on September 05, 2003 the Commission along with its letter No. JMCI/EO/2002-03/S3(III)/245, addressed to the Secretary, Ministry of External Affairs, Government of India, has sent a copy of the news-item captioned, "Government to authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday, October 28, 1995 and has requested him to let the Commission know what has actually happened with regard to the reported decision of the Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news-item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA experts, viz., Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news-item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India. Unfortunately, their response is still awaited.

- E  
MBA  
2. By Commission's d.o. letter No JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her <sup>letter</sup> d.o. No. 24/4/NGO/Vol. X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed to Prof. E.N. Komorov of Moscow Academy of Sciences, and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery; that her said d.o. letter dated October 13, 2003 is also silent about the outcome of the request of the Commission to approach the



Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1,2 and 3 of its said letter dated April 1, 2003. Their reply is still awaited.

- NEA
- F
3. By Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the attention of the Joint Secretary (CNV) has been drawn to the d.o. letter No.25/4/NGO/Vol.X dated 13.10.2003 of the Director (CNV), Ministry of External Affairs, Government of India, and he has been requested to kindly let the Commission know immediately the present position of the other pending matters mentioned in the d.o. letter No.25/4/NGO-Vol(IX) dated 27.06.2003 of the Ministry as also to send a complete list of all the archives of the Russian Federation. The reports called for are still awaited.

- E
4. By Commission's letter No.JMCI/CPDC/2002/86/394 dated January 08, 2004 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention has been drawn to her d.o. letter bearing No.25/4/NGO/Vol.X dated 25.11.2003 and she has been requested to kindly send to the Commission a progress report in the matter of their exploring alternative options for seeking the assistance of other agencies/organizations for obtaining the requisite documents concerning the alleged air crash at Taihoku on August 18, 1945 and the alleged consequent death of Netaji and she has also been requested to make available to the Commission as early as possible all the relevant documents in the matter. In this connection it may be added that when it proposed to visit Taiwan in 2002 the Commission was made to understand that the Government of India would not be in a position to make any payment on behalf of the Commission in Taipei and that the payment for all services in Taipei including the cost of hotel accommodation, transport, interpreter, photographer, etc. would need to be made directly by the Commission itself and



that publication of the notice in leading local dailies in English and local languages in Taiwan regarding holding of the hearing of the Commission in Taiwan would have to be arranged by the Commission itself. Consequently, the Commission made endeavours to contact the authorities in Taiwan to know about the availability of relevant documents and relevant witnesses in Taiwan as the Ministry of External Affairs, Government of India, expressed their difficulties to render the required help and assistance in the matter to the Commission on the ground that the Government of India is not having any diplomatic relations with the Government of Taiwan. Subsequently, the Ministry of External Affairs advised the Commission (vide d.o. letter No. 25/4/NGO/Vol.IX dated September 24, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, to the Secretary of the Commission) not to approach the authorities of Taiwan in the aforesaid matters directly but to write to the Ministry of External Affairs for the information required to be obtained by the Commission from Taiwan.

- E
5. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries. In this connection Commission's letters no. JMCI/DOC(FOR)/99-2000/56(iv)/398 dated November 11, 2002, and no. JMCI/Overseas/Witnesses/2000-01/70/433 dated November 27, 2002, both addressed to the Joint Secretary (CNV), Ministry of External Affairs, Govt. of India, and its letter no. JMCI/Overseas/Witnesses/2000-01/70(ii)/621 dated April 01, 2003 addressed to the Secretary, Ministry of External Affairs, Govt. of India, may kindly be referred to.



129

6. By Commission's letter No. JMCI/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No.I/12014/13/2000-NCB dated 19/24.09.2003 does not state specifically as to whether the documents called for by Commission's letter No.JMCI/11/2000/542 dated February 17, 2003 are in existence or not. It has also been stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence, the reason for which those have not yet been sent to the Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is still awaited.

E 7. By Commission's letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Shri Vijoy Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned, "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter No.25/4/NGO-Vol.IX dated May 7, 2003 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation, and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.

H 8. By Commission's letter No. JMCI/Meeting-Proceedings/(Follow-Up)/99-2000/48(V)/322 dated November 5, 2003 addressed to Shri Umesh Kalra, Director (IS), Ministry of Home Affairs, Government of India in response to the factual position regarding para 5 as indicated in Shri Kalra's letter No.I/12014/13/2000-IS-V (NCB)/Vol.V dated 31.10.03, it has been pointed out that the 317 files of Khosla Commission mentioned therein do not contain either the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said



Commission (as received by us) appear to contain only some parts of its proceedings. The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

E 9. The Commission by its letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post-Graduate class in the U.S.A. indicating / suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

F 10. With Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27<sup>th</sup> August, as collected from the U.K. in course of the visit of the Commission to London, has been sent to the said Joint Secretary with the request to kindly let the Commission know as expeditiously as possible, the result of the inquiry initiated by the Viceroy as mentioned in the aforesaid document bearing No.5190. Their response is awaited.

SH  
E 11. In Commission's letter No.JMCI/Meeting-Proceedings (Follow Up) / 99-2000/48(V)/376 dated December 26, 2003 addressed to the Secretary, Ministry of Home Affairs, Government of India, it has been pointed out, inter alia, that the documents mentioned in para 2(iii), 2(v), and 2(vi) of the Cabinet Secretariat's letter No.281/12/1/2000-PS dated November 13, 2003 could not be traced out in Ministry of Home Affairs' files No. I/12014/9/77-D.III, No.I/12014/6/90-IS (D.III), and No.31/2/74-Pol. D.III (2 Vols.) in spite of thorough search not only by the Officers of the Commission but also by one Officer of the Ministry of Home Affairs in course of his visit from New Delhi to the Commission's Office in Kolkata, though it



has been stated in para 2 of the Ministry of Home Affairs' letter No.I/12014/13/2000-IS (D.V) dated January 2, 2003 that those documents are available in the aforesaid files of the Ministry of Home Affairs and that the documents mentioned at para 2(ii) 2(iv) could not be made available to the Commission. The Secretary, Ministry of Home Affairs has, therefore, been requested in the said letter dated December 26, 2003 of the Commission to kindly take all possible steps to ensure early transmission of all the aforesaid five documents mentioned at para 2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of the aforesaid letter of the Cabinet Secretariat. Further development in the matter is awaited.

- I
12. The report of the Indian Consulate of St. Petersburg [as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission] is yet to be received by the Commission in spite of several reminders to the said Ministry.



Annexure-C

Some of the important matters which the Commission has been constrained not to pursue on the repeated failure of the Ministries/Departments concerned of the Government of India to comply with the directives of the Commission sent in that regard from time to time.

- PMO
1. Shri Morarji Desai, the then Prime Minister of India, made a statement on the floor of the Parliament (Lok Sabha) on August 28, 1978 that 'some further contemporary official documentary records have become available' in the light of which "it is difficult to accept that the earlier conclusions (of the Shah Nawaz Khan Committee and the Khosla Commission) are decisive". But the said 'further contemporary official documentary records' have not been made available to the Commission by the Government of India.
  2. No follow-up action has been taken by the Ministry of External Affairs, Government of India, as requested by the Ministry of Home Affairs, Government of India on the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India. (vide Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(III)/449 dated December 5, 2002 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India).
  3. The documents mentioned in the d.o. letter dated February 3, 1998 of Dr. Ramesh Chandra Mazumdar (a renowned historian, since deceased) addressed to Shri Morarji Desai, the then Prime Minister of India, as also those mentioned in the note attached to the said d.o. letter of Dr. Mazumdar (vide c.p.s 16-20 of the Secret File No.2/64/78-PM of the Prime Minister's Office) have not been made available by the Secretaries, Ministry of Home Affairs and Ministry of Information and Broadcasting as called for from them by the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37 (Vol.II)/542 dated February 1, 2002.
  4. Vol. Nos. XVIII, XIX and XXII pertaining to the Khosla Commission along with other relevant files / documents / records which have been shown in the Affidavit
- H



55  
dated December 19, 2001 of Smt Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, as called for by the Commission's letter No.JMCI/Records/N.Delhi/99-2000/37(Vol.II)/534 dated January 29, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, have not been made available to the Commission.

- # 5. The Affidavit allegedly filed by the Government of India before the Khosla Commission regarding destruction/missing of 34 confidential files on Netaji has not been made available to the Commission.
- # 6. The documents filed by the Government of India and other parties, if any, before the Khosla Commission which were made exhibits by the said Commission, have not been furnished by the Government of India to this Commission. Not even a comprehensive list of the said exhibits has been filed by the Government of India to this Commission.
- # 7. Copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries/Departments/ Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by any of the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India, have been kept informed by the Commission accordingly.
- # 8. The Ministry of Home Affairs and the Ministry of External Affairs, Government of India, have been repeatedly requested by the Commission, in vain, to take up the matter with the Government of the U.K. at appropriate levels so that the classified British documents on Netaji Subhas Chandra Bose/INA are got declassified and the Commission can peruse them for the purpose of its inquiry.



By Speed Post

134

No.I/12014/13/2000-IS D.III/NCB (Vol.VI)

Government of India  
Ministry of Home Affairs

.....

New Delhi, dated 15.4.04

19

To

Shri Tarakeswar Pal,  
Advocate & Sr. Standing Counsel to the  
Government of India,  
Justice Mukherjee Commission of Inquiry,  
Bar Association, Room No.5,  
High Court of Kolkata,  
Kolkata.

Subject: Long pending issues of Justice Mukherjee Commission of  
Inquiry with the Government of India regarding.

Sir,

I am directed to refer to your letter No.Nil dated 26.2.04 on the  
subject noted above and to say that the factual positions shown pending  
against this Ministry vide Annexure B & C are as follows:-

Action points shown pending against this Ministry has been  
indicated at para 1, 6, 8 and 11 of Annexure B and para 4, 5, 6 & 7 of  
Annexure C

Para 1 of Annexure B

In this para the Commission has referred their letter dated 5/9/03  
enclosing therewith copy of News item captioned "Govt. to  
authenticate on Netaji's ashes by DNA test published in the  
Delhi edition of Statesman on Saturday October 28,1995 and  
requested to let the Commission know what had actually  
happened with regard to the reported decision of the Govt. of  
India to opt for DNA test of the alleged ashes of Netaji by  
forming a Committee consisting of DNA experts, CBI officials  
and member of CDFD, Hyderabad as reported in the said news  
item and desired to make available the services of CDFD,  
Hyderabad, a competent member of the CBI and DNA expert  
viz Dr. Michalle Holland of the USA and Dr.Kevin Salevan of  
the U.K as mentioned in the news item. In this connection it  
may be mentioned that on receipt of the above reference from  
MEA, an effort was made to locate from the existing records to  
ascertain whether any such Committee was constituted, but  
despite various efforts nothing could be found. Accordingly, as  
the news item contains various references concerning MEA and





JMCI had sought the response from Ministry of External Affairs, this Ministry requested the MEA to sent a suitable reply to JMCI from their end vide this Ministry's d.o letter No.I/12014/13/2000-NCB(Vol.IV) dated 15/1/04. Hence no action is pending on our part.

**Para 6 and 8 of Annexure B and Para 6 of Annexure C**

In these paras the Commission had referred their letter dated 17/2/03 requesting original or authenticated true copies of the documents exhibited by the various deponents and various Govt. departments filed before the Justice Khosla Commission of Inquiry. As most of the deponents enlisted in the above referred letter pertain to period 1952 to 1960, the MEA was requested to ascertain whether those documents as asked for by the Commission are available with them. The MEA intimated that since the Khosla Commission was constituted by Ministry of Home Affairs the relevant documents could be available with this Ministry. Despite various efforts no documents including proceeding and exhibits filed by various deponents before the Khosla Commission of Inquiry could be traced from the available 317 files of Khosla Commission. In this connection it is worth mentioning that this Ministry was able to furnish a comprehensive list of 296 files of Khosla Commission containing personal service matters of the staff, house keeping aspects, affidavits received from members of the public and similar request received from some prominent persons for deposition before the Khosla Commission, with request that these files could be scrutinized by an officer of the Commission in Delhi and if any of them are found to be useful they may be requisitioned by the Commission. Subsequently JMCI vide their letter No.JMCI/Meeting-proceedings (Follow Up)/-99-2000/48/506 dated 7/2/01 desired that 95 files out of 296 may be made available to Shri S.N. Singh, Section Officer, JMCI for studying. Shri S.N Singh scrutinized not only 95 files but all the existing 317 files of Khosla Commission and informed the JMCI that no exhibits or proceedings of Khosla Commission are available in the existing documents of this Ministry. Accordingly, the Commission was informed vide this Ministry's affidavit dated 27/2/01 intimating that the records pertaining to Khosla Commission of Inquiry were made available to the Commission and no further records in respect of proceeding of Khosla Commission of Inquiry were available. This position was clarified time and again vide this Ministry's letters dated 12/5/03, 24/9/03 and 20/2/04. In this circumstances it may be mentioned that since the entire documents of Khosla Commission have been checked by S.O of JMCI and the Commission is very much aware of the factual position, you are requested to



convince the Commission not to show these issues pending against MHA

**Para 7 of Annexure C**

In this para, it has been stated that copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries Departments/Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India have been kept informed by the Commission accordingly. So far this Ministry is concerned no affidavits filed by different deponents are pending with this Ministry. Hence no action is required to be taken.

**Para 11 of Annexure B**

The factual position of these documents referred at Sl.No.2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of Para 2 of the letter No.281/12/1/2000-TS dated 13/11/02 of the Cabinet Sectetariat are as follows:-

Sl.No 2(ii) referred Cabinet Sectt. F.No.10/22/CF-68 containing Cabinet No.1/18/68-coin dated 17/5/1968 regarding issue of commemorative stamps/coins of Netaji Subhash Chandra Bose on 21.10.68 on the occasion of the silver jubilee of Azad Hind Government. This was originated from Ministry of Finance, D/o Economic Affairs and this Ministry requested M/o Finance to communicate their views whether the said Cabinet Note can be declassified or has to be retained as classified. The reply is still awaited. However JMCI was advised to take up the matter with Deptt. of Economic Affairs, M/o Finance.

Sl.No.2(iii) referred Cabinet Sectt. F.No. 6/5/9/77- containing Cabinet note dated 17/11/77 (F.No.I/12014/9/77-D.III(S&P) and 18/2/70(F.No.29/48/69-Poll.II) regarding Motion in the Lok Sabha by Shri Samar Guha for a fresh inquiry into the disappearance of Netaji Subhash Chandra Bose. This document is available in this Ministry's F.No. 12014/9/77-D.III which has already been made available to the Commission on 20/12/2000. However a copy thereof obtained from Cabinet Sectt. has been forwarded to JMCI vide this Ministry's letter of even number dated 6.4.04.



Sl.No.2(iv) referred Cabinet Sectt. F.No.10/21/CF-68 containing cabinet decision on 6.3.70 regarding fresh inquiry into the alleged death of Netaji Subhash Chandra Bose. In this connection it may be mentioned that the relevant F.No. 29/48/69-Pol-II is not available. The factual position has already been conveyed to the Commission vide this Ministry's affidavit dt. 27/2/01 and this Ministry's letter of even number dated 3/1/03 (P.76/cor.). However, a copy the Cabinet decision dated 6/3/70 has been obtained from the Cabinet Secretariat and forwarded to JMCI vide this Ministry's letter dated 6.4.04.

Sl.No.2(v) referred Cabinet Sectt. F.No.6/1/6/74-CF containing Cabinet decision on 29.8.74 regarding the report of the one-man Commission of Inquiry into the disappearance of Netaji Subhash Chandra Bose. This document is available in this Ministry's F.No.31/2/74-Pol D.III which was made available to the Commission on 20.12.2000. However, a copy thereof obtained from Cabinet Sectt. was made available to JMCI on 6.4.04.

Sl.No.2(vi) referred Cabinet Sectt. F.No.6/5/1/91-TS containing CCPA decision on 10/1/91 on dispute regarding ashes of Netaji Subhash Chandra Bose and also controversy about whether Netaji is dead or still alive. This document is available in this Ministry's F.No.I/12014/6/90-IS(D.III) which was made available to the Commission on 20/12/2000. However, a copy thereof obtained from Cabinet Sectt. has been forwarded to JMCI vide this Ministry's letter dt.6.4.04.

#### Para 4 of Annexure C

So far as para 4 is concerned wherein the Commission has referred to their letter dated 29/1/02 regarding making available for perusal of the authorized representative of the Commission, Vol-XVIII, XIX and XXII and other volumes excepting first 17 volumes alongwith other relevant files of the Khosla Commission. In this regard it may be clarified that a detailed list of records of the documents, books etc. pertaining to Netaji Subhash Chandra Bose available with this Ministry were enclosed with the affidavit dated 19/12/01 filed on behalf of this Ministry. On perusal of the Annexure of the affidavits indicating the documents available with this Ministry reveals that Vol.Nos.XVIII, XIX and XXII do not <sup>certain</sup> appear in the Annexure. As such its availability does not arise. However the result of further efforts have also been communicated to the Hon'ble commission vide our U.O.dated 11/4/02. Our Consel is



accordingly requested that this position may be explained to the Commission.

**Para 5 of Annexure C**

We have made various efforts but no specific affidavit allegedly filed by the Govt. of India before the Khosla Commission regarding instruction/missing of 34 confidential files could be traced from the existing 317 files of Khosla Commission. This position may also required to be explained to the Commission.

In view of the above it is advised that an initiative may be taken to convince the Commission as well as deponents during proceedings of the Commission as and when held that no issues raised by the Commission from time to time relating to MHA are pending with this Ministry So far as long pending issues indicated in respect of other than MHA viz MEA it is informed that MEA has been requested to convey you the factual position in respect of pending issues shown against them so that the interest of the Govt. of India on the pending issues raised by the Commission are properly defended.

Apart from the above it is also informed that Shri P.K. Sengupta, Secretary, JMCI had already been apprised of the factual positions regarding long pending issues. He has been categorically confirmed that no document pertaining to proceedings/exhibits of Khosla Commission and other documents as asked for by the Commission are available with this Ministry.

In regard to DNA test, it is clarified that as per the terms of reference of Justice Mukherjee Commission of Inquiry, it is evident that JMCI is competent to take independent views on the issue of DNA test and Govt. of India can give only logistic as well as facilitating support.

Accordingly, it is requested that all the above facts may be brought to the notice of JMCI during proceeding of the Commission.

A copy each of the affidavits so far filed by this Ministry are enclosed herewith for your information.

RAT Pl. issue  
ME  
16/4/04

  
(UMESH KALRA)  
DIRECTOR(S) 15/4



**Tarakeswar Pal**

Advocate

Senior Counsel - I, To The Government of India  
In Justice Mukherjee Commission Of  
Inquiry For Inquiry Into The Alleged Disappearance Of  
Netaji Subhas Chandra Bose

No. 1180 J. S./Security/04

1914

2004

Office :  
Room No. : 5  
Bar association,  
High Court, Calcutta,  
Phone : (033) 248-3190/3169,  
Fax : (033) 248-2313,  
E-mail : barasohc@cal.cmc.net.in

Residence & Chamber:  
Purnasasi,  
33, Asoke Avenue,  
(Off. & Opposite Navanir),  
Kolkata - 700 040,  
Phone : (033) - 471-0592,  
Fax : (033)-471-1204.

**BY REGISTERED WITH SPEED POST**

Date 1st April, 2004

15th

Ref : .....

To

1. Sri Rakesh,  
Joint Secretary,  
Ministry of Home Affairs,  
Government of India, North Block, New Delhi - 100 001.  
(Ref. : My letter dt. 26.2.2004 and your No. 1/12014/13/2000-IS  
(D.III)/NCB-II,

2. MS Ruchi Ghanashyam,  
Joint Secretary (C NV)  
Ministry of External Affairs, Government of India, South Block,  
New Delhi - 110 011.  
(Ref. : 25/4/NGO-Vol-Viii)

3. MS Renuka Kumar,  
Director,  
Prime Minister's Office, Government of India, South Block,  
New Delhi - 110 011.  
( Ref. : 915/11/C/2/2000-Pol )

Dear Sir,

Re. : Compliance of various directions of the Hon'ble  
Justice Mukherjee Commission to you, And, (1) Order  
of the Hon'ble Commission as was passed on 5th  
February, 2004, (2) Status Report of the Hon'ble  
Commission as was published on 29th January, 2004,  
and, (3) the list of some long pending matters of  
the Hon'ble Commission with you (as all annexed  
herewith ).

Please send your replies on the abovementioned three documents  
at your earliest. I would prefer visits of your responsible Officer/s  
for consultation on the whole matters - so that I may apprise the  
Hon'ble Commission of your compliances. The matters are long standing.  
Kindly do the need-ful and communicate instructions to me in the matter,  
as early as possible.

Thanking you,

Yours faithfully,

Copy to :  
Sri M. Roy, Officer on Special Duty,  
Justice Mukherjee Commission Of Inquiry,  
11A, Mirza Galib Street (Block B-3rd floor)  
Kolkata - 700 087.

**Tarakeswar Pal**  
( Tarakeswar Pal )  
Advocate

(in reference to his letter No. JMCI/Meeting-proceeding/(Follow-up)/  
99-2000/48(V)/506 dated 19th March, 2004, received by me on 31st  
March, 2004. )

- for information.



140

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 5<sup>th</sup> February, 2004 (26<sup>th</sup>) held at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 5, 2004.

Of the five witnesses summoned today two witnesses, namely, Shri Sugata Bose and Shri Swadhin Sanyal have prayed for adjournment by filing different petitions beforehand on the common ground of their prior commitments while Shri Pabitra Kumar Ghosh has, as on the earlier occasion, prayed for adjournment on the ground of illness. Other two witnesses, Smt. Jayanti Bhattacharya and Shri Rishi Ranjan Chakraborty, are absent without any intimation.

STATUS REPORT

The Parties have been heard in respect of the Status Report as on 29.01.2004.

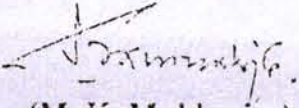
As different departments of the Government of India have not fully complied with the various directions contained in the proceedings of the different dates as mentioned in paragraphs 3(c), 5, 6, 7, 9 and 14 of the Status Report Shri Tarakeswar Pal, Ld. Senior Counsel for the Government of India has been directed to pursue the matter with the concerned departments by writing letters to them and apprise the Commission of their reply.

Attention of Shri Subrata Bose (JMCI-27/2000) was drawn to paragraph 9 of the news item titled, "Netaji Commissioner Kaj Niye Kendrer Birudhey Hunki Andoloner" published in the 'Bartaman' dated 03.02.2004 where he was quoted "..... there are materials to prove that NETAJI WAS IN THE CITY OF OMSK IN SOUTH RUSSIA IN 1946". He stated that he was misquoted.

Referring to paragraph 7 of the Status Report, Dr. Madhusudan Pal (JMCI-14/2000) has submitted that he has also received a letter from the Chief of Protocol Office, Taipei City Government informing him that the Cremation Permits issued before 1968 by Taipei City Government, Department of Health were unfortunately destroyed.

Shri Nanda Lal Chakraborty (JMCI-11/2000) and Shri Sukhendu Kumar Baur (JMCI-31/2000) have submitted that sufficient time should be given to the different deponents for advancing their arguments in the matter. Commission assured them of giving sufficient time.

Let a copy of this Order be forwarded to Shri Tarakeswar Pal, Ld. Senior Counsel for the Government of India for taking necessary action in terms thereof.

  
(M. K. Mukherjee)  
Chairman



41

Status Report as on 29.01.2004 showing action taken on / compliance with orders/directions of the Commission including those contained in the various proceedings.

1. Xerox copies of the Commission's Status Report as on 24.11.2003 (Forenoon) and of its proceedings dated November 27, 2003 have been forwarded to the Secretaries, Ministry of Home Affairs, Ministry of External Affairs; Prime Minister's Office, Cabinet Secretariat, Ministry of Defence (History Division), Ministry of Information and Broadcasting, as also to the Director, Intelligence Bureau, Government of India, for their information and favour of taking necessary action at their end in respect of the matters in the Status Report as may be applicable to them.
2. A notice has been sent to each of the deponents and other parties concerned regarding the next hearing of the Commission on February 5, 2004 and, if need be, on February 6, 2004 as well in the Annexe Building, Mahajati Sadan, Kolkata and summons have been issued to five witnesses for their examination/further examination during the hearing. For Inf.
3. (a) Xerox copies / authenticated copies of various files / records of the Government of India as received from time to time are being scrutinized and further references are being made to the Government of India to elicit further information/records in appropriate cases. For Inf.  
(b) The Commission has been pursuing with the Departments/Ministries concerned, Government of India for various files/documents/records called for from them which are yet to be received by the Commission. For Inf.  
(c) The photocopies of the three documents called for from the National Archives of the Government of the U.K. as indicated in para 3(c) of the Status Report as on 24.11.2003 (forenoon), have since been received. Those documents seem to indicate that an investigation was made under the orders of the Governor of Taiwan in 1956 into the alleged death of Subhas Chandra Bose, leader of the Indian National Army, in Formosa. For Inf.
4. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned anew reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries. MBA.
5. By Commission's letter No. JMCI/EO/2002-03/83(III)/245 dated September 05, 2003 the Secretary, Ministry of External Affairs, Government of India, has been furnished with a copy of the news item captioned, "Government to authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday, October 28, 1995 and they have been requested to let the MBA.



Commission know what has actually happened with regard to the reported decision of the Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA experts, viz., Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India. Their response is still awaited.

MHA have committed to MHA that a suitable letter sent to JMC from their side.

6. By Commission's letter No. JMCI/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No.I/12014/13/2000-NCB dated 19/24.09.2003 does not state specifically as to whether the documents called for by Commission's letter No.JMCI/11/2000/542 dated February 17, 2003 are in existence or not. It has also been stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence, the reason for which those have not yet been sent to the Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is still awaited.

MHA.  
The Commission has been informed time & again that no prosecutable exhibits are available except those which are made available to the Commission. Secy, JMC, has also been conveyed this meeting at 3/11/04.

7. In his d.o. letter No.JMCI/Overseas/Witnesses/2002-03/70(11)/330 dated November 11, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the Secretary of the Commission has pointed out that xerox copies of relevant communications received by the Commission through e-Mail from Shri Anuj Dhar and by Post from the Mayor of Taipei on the point of the alleged plane crash at Taipei have already been sent to the said Director (CNV) by Registered Post, with A/D., under Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/292 dated 17.10.2003 and has also detailed in the said d.o. letter dated 11.11.03 all the circumstances which have compelled the Commission to directly approach the authorities concerned in Taiwan. In pursuance of the letter dated November 25, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, stating inter alia : "JMCI should not send such communications directly to Taiwanese Government authorities. We are considering alternative options for seeking the assistance of other agencies / organisations for obtaining the requisite documents identified by you in your letter to the Mayor of Taipei. We shall keep you informed of progress in this regard", the Commission has stopped communicating directly with the Government of Taiwan and the Mayor of Taipei but till now nothing further has been heard from the Ministry of External Affairs, Government of India. Since then, a letter dated December 4, 2003 has been received on 23.12.2003 from the Chief of Protocol Office, Taipei City Government, addressed to the Commission (which is in reply to the Commission's letter No.JMCI/CPDC/2002/86/289 dated October 17, 2003 addressed to the Hon'ble Mayor, Taipei City Government) which states, inter alia, : "I regret to inform you that the Cremation Permits issued before 1968 by the Taipei City Government Department of Health were unfortunately destroyed."

MHA



42  
43

8. (a) By Commission's d.o. letter No.JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her d.o. No.24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed to Prof. E.N. Komorov of Moscow Academy of Sciences, and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery; that her said d.o. letter dated October 13, 2003 is also silent about outcome of the request of the Commission to approach the Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1,2 and 3 of its said letter dated April 1, 2003. Their reply is still awaited.

MBA.

(b) The reports regarding availability of relevant documents in all the remaining archives of the Russian Federation including the KGB Archive and an exhaustive list of all the archives of the Russian Federation are yet to be received.

(c) The report of the Indian Consulate of St. Petersburg as intended to be sent later to the Commission in para 4 of the d.o. letter No.24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission, is yet to be received by the Commission in spite of several reminders to the said Ministry.

9. From the copy of the d.o. letter No.25/4/NGO/Vol.X dated January 12, 2004 of the Director (CNV), Ministry of External Affairs, Government of India, addressed to the Joint Secretary (IS), Ministry of Home Affairs, Government of India, endorsed to this Commission, it appears that all the three Notices sent by the Commission to the Ministry of External Affairs, Government of India, with the request for their publication in leading English and local languages newspapers in Singapore, Bangkok, and Saigon have since been complied with and that the Indian Mission in Singapore is being requested by the Ministry of External Affairs to make inquiries with regard to the feed back received from one Mr. Joseph C. Pereira, a Singapore National of Indian Origin, by the Embassy of India, Hanoi. Mr. Pereira has furnished some particulars of the son and daughter of Mr. Gerald De Cruz who might have some relevant information. Mr. Pereira is also being requested to send a copy of the book titled, "Kojaka Rebels" which was allegedly published by a Singaporean Publisher and to furnish the addresses of the said son and daughter of Mr. Cruz.

MBA.



44  
Steps are being taken for publication of similar notice/news in leading newspapers in Taiwan about the proposed visit of the Commission to Taipei.

10. By Commission's letter No.JMCI/DOC(FOR)/99-2000/56(V)/323 dated November 06, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention has been drawn to the second para of the letter dated 30.08.03 of the National Archives of Malaysia enclosed to her d.o. letter dated 12.09.2003 wherein it is stated, inter alia, : "Should we chance upon any information on him (Netaji Subhas Chandra Bose) in future, we will certainly write to you again" and the Director (CNV) has been requested to kindly pursue the matter with the National Archives of Malaysia closely and keep the Commission informed of the outcome in time. Further development is still awaited.

11. The Commission by its letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post-Graduate class in the U.S.A. indicating / suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

12. The report of the second handwriting expert regarding comparison of the handwritings allegedly of 'Gumnam Baba' of Faizabad with admitted specimen handwritings of Netaji Subhas Chandra Bose has been received by the Commission on July 23, 2003. The specimen handwritings of Netaji Subhas Chandra Bose and the first bunch of documents containing a number of questioned handwritings allegedly of 'Gumnam Baba' of Faizabad have been made over to the third handwriting expert on August 28, 2003 for necessary comparison of those two sets of handwritings. Further development in the matter is still awaited.

13. By Commission's letter No.JMCI/Overseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Shri Vijoy Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned, "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter No.25/4/NGO-Vol.IX dated May 7, 2003 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.

14. By Commission's letter No. JMCI/Meeting-Proceedings/(Follow-Up)/99-2000/48(V)/322 dated November 5, 2003 addressed to Shri Umesh Kalra, Director (IS), Ministry of Home Affairs, Government of India in response to the factual position regarding para 5 as indicated in Shri Kalra's letter No.1/12014/13/2000-IS-V (NCB)/Vol.V dated 31.10.03, it has been pointed out that the 317 files of Khosla Commission mentioned therein do not contain either

MHA  
JMCI has been apprised of the factual position regarding para 5 of the proposed exhibit as stated for SOJMEI himself has confirmed to P.M.C.I.



43  
45

the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said Commission (as received by us) appear to contain only some parts of its proceedings. The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

15. The blood samples of Smt. Tripti Nag, daughter of one of Netaji's elder sisters and Shri Nirupam Som, one of Netaji's elder sisters' daughter's son, have recently been collected and made over to the Central Forensic Science Laboratory, Kolkata. Besides, the specimen teeth allegedly of one Gumnai Baba of Faizabad, and the blood samples of Shri Sadhan Kar, one of Netaji's elder sisters' daughter's son, Shri Subrata Bose, son of Netaji's elder brother Late Sarat Chandra Bose and Shri Dwarka Nath Bose, son of Netaji's elder brother Late Sunil Chandra Bose, had earlier been made over to the CFSL, Kolkata. By Commission's letter No.JMCI/EO/2002-2003/83(III)/371 dated December 22, 2003 the Director, CFSL, Kolkata have been requested for D.N.A. profiling tests to fix the identify of the person to whom the said teeth belonged.



Some Long Pending matters of the Commission with the Government of India.

1. As far back as on September, 05, 2003 the Commission along with its letter No. JMCI/EO/2002-03/53(III)/245, addressed to the Secretary, Ministry of External Affairs, Government of India, has sent a copy of the news item captioned, "Government of authenticate on Netaji's ashes by DNA test" published in the Delhi edition of 'The Statesman' on Saturday October - 28, 1995 and has requested ~~to~~ him to let the Commission know what has actually happened with regard to the reported decision of the Government of India to opt for DNA test of the alleged ashes of Netaji by forming a Committee consisting of DNA experts, CBI officials, etc. as reported in the said news - item and has also been requested to make available to the Commission the services of CDFD, Hyderabad, a competent Member of the CBI and the DNA experts, viz. Dr. Michalle Holland of the USA and Dr. Kevin Salevan of the UK as mentioned in the said news-item so that the Commission may with their help and assistance get the DNA tests of the alleged ashes of Netaji done without any further avoidable delay. A copy of the said letter has also been endorsed to the Ministry of Home Affairs, Government of India Unfortunately, their response is still awaited.

2. By Commission's do letter No. JMCI/Overseas/Witness/2002-03/70(II)/301 dated October 29, 2003 addressed to the Director (CNV), Ministry of External Affairs, Government of India, the receipt of her do letter No. 24/4/NGO/Vol.X dated October 13, 2003, which is professed to be in reply to the Commission's letter dated April 1, 2003, has been acknowledged and it has been pointed out therein that neither her said d.o. letter No. dated October 13, 2003 nor its enclosure in English speaks about the fate of the two letters of the Commission addressed



to Prof. E.N. Komorov of Moscow Academy of Sciences and Prof. Y.V. Pechenko of St. Petersburg University which were enclosed with the Commission's said letter dated April 1, 2003 for causing delivery, that her said d.o. letter dated October 13, 2003 is also silent about the outcome of the request of the Commission to approach the Government of Russia for access of the Commission to the Archives of KGB (FSB) as also about the outcome of the communication of the Indian Mission in Moscow to the witnesses mentioned in the list of the Commission sent to the Ministry of External Affairs with its aforesaid letter dated April 1, 2003. The Ministry of External Affairs has been further requested in that letter to let the Commission know the result of the requests made in paras 1, 2 and 3 of its said letter dated April 1, 2003. Their reply is still awaited.

3. By Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/331 dated November 12, 2003, the attention of the Joint Secretary (CNV) has been drawn to the d.o. letter No. 25/4/NGO/Vol. X dated 13.10.2003 of the Director (CNV), Ministry of External Affairs, Government of India, and he has been requested to kindly let the Commission know immediately the present position of the other pending matters mentioned in the d.o. letter No. 25/4/NGO-Vol(IX) dated 27.06.2003 of the Ministry as also to send a complete list of all the archives of the Russian Federation. The reports called for are still awaited.

4. By Commission's letter No. JMCI/CPDC/2002/86/394 dated January 08, 2004 addressed to the Director (CNV), Ministry of External Affairs, Government of India, her attention has been drawn to her d.o. letter bearing No. 25/4/NGO/Vol.X dated 25.11.2003 and she has been requested to kindly send to the



Commission a progress report in the matter of their exploring alternative options for seeking the assistance of other agencies organizations for obtaining the requisite documents concerning the alleged air crash at Taihoku on August 18, 1945 and the alleged consequent death of Netaji and she has also been requested to make available to the Commission as early as possible all the relevant documents in the matter. In this connection it may be added that when it proposed to visit Taiwan in 2002 & the Commission was made to understand that the Government of India would not be in a position to make any payment on behalf of the Commission in Taipei and that the payment for all service in Taipei including the cost of hotel accommodation, transport, interpreter, photographer, etc. would need to be made directly by the Commission itself and that publication of the notice in leading local details in English and local languages in Taiwan regarding holding of the hearing of the Commission in Taiwan would have to be arranged by the Commission itself. Consequently, the Commission made endeavours to contact the authorities in Taiwan ~~as~~ to know about the availability of relevant documents and relevant witnesses in Taiwan as the Ministry of External Affairs, Government of India, expressed their difficulties to render the required help and assistance in the matter to the Commission on the ground that the Government of India is not having any diplomatic relations with the Government of Taiwan. Subsequently, the Ministry of External Affairs advised the Commission (vide d.o. letter No. 25/4/NGO/Vol.IX dated September 24, 2003 of the Director (CNV), Ministry of External Affairs, Government of India, to the Secretary of & the Commission) not to approach the authorities of Taiwan in the aforesaid matters directly but to write to the Ministry of External Affairs for the information required to be obtained by the Commission from Taiwan.



5. Present whereabouts of all the relevant witnesses examined earlier outside India as also of those mentioned a new reportedly living abroad, are yet to be collected and the reports regarding availability/non-availability of the relevant documents are yet to be obtained/collected from most of the foreign countries concerned by the Ministry of External Affairs, Government of India, to make them available to the Commission on receipt of which the Commission might be required to draw up programmes for its visit to the relevant foreign countries for examination of witnesses and documents available there as also for inspection of important relevant sites in those countries. In this connection Commission's letter No. JMCI/DOC(FOR)/99-2000/56(1V0/391 398 dated November 11, 2002, and no. JMCI/Overseas/Witnesses/2000-01/70/433 dated November 27, 2002, both addressed to the Joint Secretary (CNV), Ministry of External Affairs, Govt. of India, and its letter no. JMCI/Overseas/Witnesses/2000-01/70(11)/621 dated April 01, 2003 addressed to the Secretary, Ministry of External Affairs, may kindly be referred to.

6. By Commission's letter No. JMCI/11/2000/295 dated 20.10.2003 addressed to the Director, Ministry of Home Affairs, Government of India, it has been pointed out that the report of the Ministry of Home Affairs sent to the Commission under their No. 1/12014/13/2000-NCB dated 19/24. 09.2003 does not state specifically as to whether the documents called for by Commission's letter No. JMCI/11/2000/542 dated February 17, 2003 are in existence or not. It has also been stated in the said letter dated 20.10.2003 of the Commission that if the said documents are in existence, the reason for which those have not yet been sent to the Commi-

MB.A.  
Regard  
Khosla  
proceedings



Commission in spite of repeated reminders may also be intimated to the Commission immediately. The response of the Ministry of Home Affairs is still awaited.

7. By Commission's letter No. JMCI/Pverseas/Witnesses/2002-03/70(II)/288 dated 16.10.03 addressed to Sri Vijoy Gokhale, Joint Secretary (CNV), Ministry of External Affairs, Government of India, his attention has been drawn to the copy of the enclosure captioned. "Directive to the Supreme Commander for the Allied Powers" bearing dated August 14, 1945 forwarded with his d.o. letter no. 25/4/NGO-Vol.IX dated May 7. 03 and he has been requested to kindly obtain through the Indian Mission in the USA authenticated copies of the (1) Proclamation, and (2) Instrument of Surrender which appear to have been enclosed to the original copy of the aforesaid directive bearing dated 14.08.1945. The documents called for are yet to be received.

8. By Commission's letter No. JMCI/Meeting-Proceedings/(Follow-up)/99-2000/48(V)/322 dated November 5, 2003 addressed to Shri Umesh Kalra, Director (IS), Ministry of Home Affairs, Government of India in response to the factual position regarding para 5 as indicated in Shri Kalra's letter no. 1/12014/13/2000-IS-V(NCB)/Vol.V dated 31.10.03, it has been pointed out that the 317 tiles of Khosla Commission mentioned therein do not contain either the original or authenticated true copies of the documents produced before the Khosla Commission and marked as exhibits or the proceedings of the said Commission and that the bound volumes of unsigned and uncertified copies of the depositions of the witnesses before the said Commission (as received by us) appear to contain only some parts of its proceedings. The



The documents called for by the Commission by its letters dated 17.02.03 and 11.04.03 as referred to in the said para 5 are yet to be received.

MBA  
9. The Commission by its letter No. JMCI/Overseas/Witnesses/2002-03/70(II)/188 dated August 05, 2003 has requested the Ministry of External Affairs, Government of India to send particulars of some suitable willing Indian scholars or students of Post Graduate class in the U.S.A. indicating/suggesting the rate of remuneration, if any, acceptable to them unless they would agree to do the same archival research, free of remuneration for academic interest or for their love and respect of Netaji. Further development in the matter is still awaited.

MBA  
10. With Commission's letter No. JMCI/DOC(FOR)/99-2000/56(V)/375 dated December 26, 2003 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India, a copy of the official paper bearing No. 5190, which is an extract from a note of discussion between Lord Wavell, the Secretary of State, and R. Arthur Henderson held on 27th August, as collected from the U.K. in course of the visit of the Commission to London, has been sent to the said Joint Secretary with the request to kindly let the Commission know as expeditiously as possible, the result of the inquiry initiated by the Viceroy as mentioned in the aforesaid document bearing No. 5190. Their response is awaited.



11. In Commission's letter No. JMCI/Meeting-Proceedings (Follow-up)/99-2000/48(V)/376 dated December 26, 2003 addressed to the Secretary, Ministry of Home Affairs, Government of India it has been pointed out, inter alia, that the documents mentioned in para 2(iii), 2(v), and 2(vi) of the Cabinet Secretariat's letter No. 281/12/1/2000-PS dated November 13, 2003 could not be traced out in Ministry of Home Affairs' files No. 1/12014/9/77-D.III. No. 1/12014/6/90-IS (D.III) and No. 31/2/74-Pol.D.III (2 Vols.) in spite of thorough search not only by the Officers of the Commission but also by one Officer of the Ministry of Home Affairs in course of his visit from New Delhi to the Commission's Office in Kolkata, though it has been stated in para 2 of the Ministry of Home Affairs' letter No. 1/12014/13/2000-IS (D.V) dated January 2, 2003 that those documents are available in the aforesaid files of the Ministry of Home Affairs and that the documents mentioned at para 2(ii), 2(iv) could not be made available to the Commission. The Secretary, Ministry of Home Affairs has, therefore, been requested in the said letter dated December 26, 2003 of the Commission to kindly take all possible steps to ensure early transmission of all the aforesaid five documents mentioned at para 2(ii), 2(iii), 2(iv), 2(v), and 2(vi) of the aforesaid letter of the Cabinet Secretariat. Further development in the matter is awaited.

12. The report of the Indian Consultate of St. Petersburg (as intended to be sent later to the Commission in para 4 of the d.o. letter No. 24/4/NGO-Vol.IX(II) dated June 11, 2003 of the Joint Secretary (CNV), Ministry of External Affairs, Government of India, addressed to the Secretary of the Commission) is yet to be received by the Commission in spite of several reminders to the said Ministry.

All documents -  
obtained from Cal. Sect.  
→ forwarded to  
JMCI in the mid of  
April 2004

MBA



SOME OF THE IMPORTANT MATTERS WHICH THE COMMISSION HAS BEEN CONSTRAINED NOT TO PURSUE ON THE REPEATED FAILURE OF THE MINISTRIES/DEPARTMENTS CONCERNED OF THE GOVERNMENT OF INDIA TO COMPLY WITH THE DIRECTIVES OF THE COMMISSION SENT IN THAT REGARD FROM TIME TO TIME.

1. Shri Morarji Desai, the then Prime Minister of India, made a statement on the floor of the Parliament (Lok Sabha) on August 28, 1978 that 'some further contemporary official documentary records have become available' in the light of which "it is difficult to accept that the earlier conclusions (of the Shah Nawaz Khan Committee and the Khosla Commission) are decisive". But the said 'further contemporary official documentary records' have not been made available to the Commission by the Government of India.

2. No follow-up action has been taken by the Ministry of External Affairs, Government of India, as requested by the Ministry of Home Affairs, Government of India on the letter dated March 22, 1993 of Dr. Shankar Dayal Sharma, the then President of India (vide Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(III)/449 dated December 5, 2002 addressed to the Joint Secretary (CNV), Ministry of External Affairs, Government of India).

3. The documents mentioned in the d.o. letter dated February 3, 1998 of Dr. Ramesh Chandra Majumdar (a renowned historian, since deceased) addressed to Shri Morarji Desai, the then Prime Minister of India, as also those mentioned in the note attached to the said d.o. letter of Dr. Mazumdar (vide c.p.s. 16-20 of the Secret File No. 2/64/78-PM of the Prime Minister's Office) have not been made available by the Secretaries, Ministry of Home Affairs and Ministry of Information and Broadcasting as called for from them by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37 (Vol.II)/542 dated February 1, 2002.



4. Vol.Nos. XVIII, XIX and XXII pertaining to the Khosla Commission along with other relevant files/documents/records which have been shown in the Affidavit dated December 19, 2001 of Smt. Sangeeta Gairola, Joint Secretary, Ministry of Home Affairs, Government of India, as called for by the Commission's letter No. JMCI/Records/N.Delhi/99-2000/37(Vol.II)/534 dated January 29, 2002 addressed to the Secretary, Ministry of Home Affairs, Government of India, have not been made available to the Commission.

5. The Affidavit allegedly filed by the Government of India before the Khosla Commission regarding destruction/missing of 34 confidential files on Netaji has not been made available to the Commission.

6. The documents filed by the Government of India and other parties, if any, before the Khosla Commission which were made exhibits by the said Commission, have not been furnished by the Government of India to this Commission. Not even a comprehensive list of the said exhibits has been filed by the Government of India to this Commission.

7. Copies of some of the affidavits filed by different deponents before this Commission were sent to the Ministry of Home Affairs, Government of India, so that the Ministries Departments/ Offices concerned of the Government of India, might like to controvert the allegations/assertions contained in the said affidavits. In spite of close persuasion, no such counter-affidavits have been filed before this Commission by any of the authorities of the Government of India. Consequently, the Commission has presumed that the authorities concerned of the Government of India have nothing to say regarding the allegations/assertions of the said deponents made in their said affidavits and the Ministry of Home Affairs, Government of India, have been kept informed by the Commission accordingly.

8. The Ministry of Home Affairs and the Ministry of External Affairs, Government of India, have been repeatedly requested by the Commission, in vain, to take up the matter with the Govt. of the U.K. at appropriate levels so that the classified British documents on Netaji Subhas Chandra Bose/INA are got declassified and the Commission can peruse them for the purpose of its inquiry.

X These documents have not been shown in this Ministry's affidavit of 19/12/01 as there were an not available

No such affidavit could be located

Regarding Khosla Commission

No affidavit is put up with NHT

NBA



(23)  
88

No.I/12014/13/2000-IS D.III/NCB (Vol.VI)  
Government of India  
Ministry of Home Affairs  
.....

New Delhi, dated 18.4.04

To

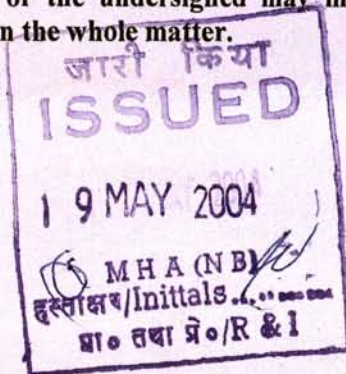
Shri Tarakeswar Pal,  
Advocate & Sr. Standing Counsel to the  
Government of India,  
Justice Mukherjee Commission of Inquiry,  
Bar Association, Room No.5,  
High Court of Kolkata,  
Kolkata.

Subject: Long pending issues of Justice Mukherjee Commission of  
Inquiry with the Government of India regarding.

Sir,

I am directed to refer to your letter dated 15.4.04 on the subject noted above and to say that factual position in respect of long standing issues shown pending against this Ministry has already been communicated to you vide this Ministry's letter dt.19.4.04 so that you may be able to apprise the Commission accordingly.

So far as personal visit of the representative of this Ministry is concerned the undersigned made various efforts to contact you over telephone but in vain. You are accordingly requested to kindly let us know as per your convenience date and time so that the representative of this Ministry or the undersigned may meet in person at Kolkata for consultation on the whole matter.



Yours faithfully,

*CU*  
(UMESH KALRA)  
DIRECTOR(S)

*2e*



(54)  
56

**CONFIDENTIAL**

**Ministry of External Affairs  
(NGO Section)**

\*\*\*

**Subject: Extension of term of Justice M.K. Mukerjee  
Commission of Inquiry beyond 14.5.2004.**

MHA may kindly refer to their U.O. note no. VI/11034/18/98-IS(V)/NCB-II, dated 08.3.2004 and 29.3.2004, seeking inputs for processing case for further extension of term of the Justice Mukherjee Commission of Inquiry (JMCI) beyond 14.5.2004.

2. This Ministry's parawise comments on Para 1, 4, 5, 6, 7, 10 and 12 of **Annexure 'B'** and Para 2 & 8 of **Annexure 'C'** of the Status Report of the JMCI, are given in the enclosed sheet.

*R. Ghanashyam*  
(Ruchi Ghanashyam)  
Joint Secretary (CNV)

Ministry of Home Affairs (Shri U.K. Kalra, Director, NCB-II Section), North Block, New Delhi.

MEA U.O. no. 25/4/NGO-Vol XI, dated April 12, 2004

on file

DS (Ghanashyam) 16/4

Pl. ask for the copy of  
enclosures.

19/4

F.No. 12014/13/2000-Vol-VI

165/NCB-2/04  
19/4

1565/Dir CNV  
16/4



87

**STATUS OF REQUESTS RECEIVED FROM JMCI**

	<b><u>JMCI'S REQUIREMENT</u></b>	<b><u>PRESENT STATUS / MEA RESPONSE</u></b>
<b><u>JMCI ANNEXURE "B"</u></b>		
PARA NUMBER <b>1</b>	Statesman Report of 28.10.95- Reported decision of GOI to opt for DNA testing by forming a Committee of DNA experts, CBI Officials etc.	Reply sent vide letter dated 29.3.2004 (copy enclosed)
PARA NUMBER <b>4</b>	Progress report on exploring alternative options for seeking assistance of other agencies/organization for obtaining documents concerning alleged air crash at Taihoku from Taiwanese authorities	Copies of documents obtained from Japanese Government and Taiwanese authorities have been forwarded to JMCI vide letters No. 25/4/NGO-Vol- IX dated 20.2.04 and No. 25/4/NGO-Vol-XI dated 15.3.04 respectively. (Copies enclosed)
PARA NUMBER <b>5</b>	Visit of JMCI team to relevant foreign countries for examination of witnesses and documents and inspection of sites.	<p>Our Missions in Singapore, Bangkok and Vietnam facilitated the JMCI request for publishing Notices for obtaining and extracting material evidence relevant to the points of inquiry.</p> <p>The JMCI Notice was published in all the leading dailies in these countries. Newspaper clippings of the Notices thus published have been sent to the JMCI alongwith feedback.</p> <p>As regards Taiwan, The feasibility of a proposed visit by a JMCI team to Taipei, was examined in MEA letter No. No.25/4/NGO-Vol-XI dated 15.3.04 (Copy enclosed as above), where constraints and difficulties identified by the India-Taipei Association (ITA) in pursuing investigations in Taiwan were spelt out. The JMCI was informed that if the Commission were to decide in favour of a visit to Taiwan, the ITA would be requested to extend all possible assistance to the visiting JMCI team.</p>



:2:

PARA NUMBER <b>6</b>	This pertains to MHA	This pertains to MHA
PARA NUMBER <b>7</b>	Request for obtaining copy of "Proclamation, Instrument of Surrender" and 'Directive to Supreme Commander for Allied Powers' dated 14.8.1945	Our Mission in Washington has been requested to obtain these documents from US authorities/agencies. The Mission has already taken up the matter with US agencies.
PARA NUMBER <b>10</b>	Request for obtaining copy of an Official Paper- Extract of discussions between Lord Wavell, and Henderson on 27.8.45.	Our Mission in London has been requested to obtain these documents from British authorities/agencies. The Mission has already taken up the matter with the British Foreign Office.
PARA NUMBER <b>12</b>	Report of Indian Consulate of St. Petersburg.	One of the listed witnesses named by JMCI, viz. Professor Y.V.Pechenko of the University of St. Petersburg, died in June 2003. This fact was conveyed to the Commission vide letter no. 25/4/NGO-Vol IX (I) dated 15 July 2003. MEA letter No. 25/4/NGO-Vol.XI, dated March 29, 2004 to JMCI also refers. (copies enclosed)

Contd.page 3/....



:3:

JMCI ANNEXURE "C"		
PARA NUMBER <b>2</b>	Follow-up action by MEA/MHA on letter (dt 22.3.1993) of Dr. Shankar Dayal Sharma, the then President of India regarding JMCI request for furnishing copy of Judgment order dated 4.3.1987 delivered by Hon'ble Justice Bhargava of Rajasthan High Court.	Follow-up action taken in the matter by MEA was conveyed to MHA vide Ministry's letter no. C/551/7/92-JO dated 8 <sup>th</sup> October 1993 and subsequently again vide letter no. 25/4/NGO-Vol. VIII dated 26.7.2002. (copies enclosed)
PARA NUMBER <b>8</b>	Request for taking up matter with the British Government for de-classification of classified British documents on Netaji/ INA to enable JMCI to peruse them for purpose of the Inquiry.	<p>Justice Mukherjee, Chairman, JMCI met External Affairs Minister (EAM) in <b>October 2002</b> in connection with the request for assistance in accessing certain classified documents pertaining to Netaji, which were available with the British Authorities.</p> <p>The British Foreign &amp; Commonwealth Office was requested in October 2002 through the High Commission of India, London to provide JMCI access to the relevant documents. No response has been received from the British authorities.</p>



5  
7

***e-mail* :** [jmcinscb@cal.3.vsnl.net.in](mailto:jmcinscb@cal.3.vsnl.net.in)

Kolkata, dated, **25.11.04.**

007904 R

गृह विभाग  
Ministry of Home Affairs  
नई दिल्ली / New Delhi

15 2034

कं० रे० सं० .....  
डाक सं० .....

I am directed to send herewith a copy of extracts of para 3 from the affidavit sworn and filed by Dr. Tilak Raj Sareen of New Delhi and a copy of the report titled, "Vietnam Archives hold Key to Netaji Flight" authored by Ms. Prabha Jagannathan which was published in the 'Telegraph', an English daily, on September 26, 1994, with the request to kindly take up the matter with the Government of Vietnam and request them to allow the Commission to have access to all the relevant documents relating to Netaji during the proposed visit of the Commission to Vietnam.

Yours faithfully,

( P.K. Sengupta )  
Secretary

not for  
fc 2  
10/12

try  
Security  
Division

Secy  
Division

Enclosures : As stated above.

21/12/04

Received  
to day 21/12/04.

21/12/04

21/12/04

IS(V) of Julia, O



# Vietnam archives hold key to Netaji flight

FROM PRABHA  
JAGANNATHAN

TEL

INDIAN GOVERNMENT RELUCTANT TO PURSUE LEAD

26 SEP 1994

26.9.1994 61  
as well as in UK, Taiwan, China and Japan. But nothing transpired and the Indian government showed no interest in the centenary celebrations, either.

Ho Chi Minh City, Sept. 25: The city of Saigon may even today hold the key to a crucial missing piece of Indian history related to the disappearance of Netaji Subhas Chandra Bose during World War II. Ironically, though, the Indian government seems reluctant to pursue this lead.

The government of the Socialist Republic of Vietnam has access to certain pictorial and documentary material on Netaji's last flight — during which he made a sojourn in Saigon city on his way to Taipei (Formosa) and Tokyo in Japan — before his final disappearance, according to the authorities.

"There is accessible material here on Netaji's stay in Saigon in 1945, when a large part of Indo-China was under Japanese domination. However, the Indian government is reluctant to pursue this lead, which is likely to help us unearth some exceedingly interesting material on Netaji's disappearance since it will reopen the entire issue," said a highly placed source.

However, Indian embassy officials, who admit the existence of "some material" including newspaper clippings related to the

event, dismiss this, saying, "The last thing we want is to embroil ourselves in another controversy over Netaji. Any talk of this is likely to get blown out of proportion immediately in India."

While some of this material was acquired by the government of the Socialist Republic of Vietnam in the post re-unification period from the authorities at the Majestic Hotel, where Netaji was put up by the Japanese government, material on Netaji is also believed to have been accessed by the government here while collecting archival material on both the World War II and the Vietnam War period.

Located along the Saigon river, the Majestic Hotel, once considered the city's most elegant and prestigious.

Netaji is also believed to have met the Vietnam Cong Sai (Vietnam Communist party) chief and father of the Socialist Republic of Vietnam, Ho Chi Minh, as well as the Burmese leader, Bamo, as part of his war-time strategy to garner support for the INA and Azad Hind Fauj.

The Forward Bloc MP, Mr Chitta Basu, who has for years been trying to get the Indian govern-

ment interested in retrieving all archival material related to the 50-year-old mystery of Netaji's disappearance in 1945, said, "There are a lot of theories about Netaji Subhash Chandra Bose's last flight in 1945. In 1943 (Octo-



ber 21), Netaji made Singapore his headquarters for declaring independence of Azad Hind from the British and opposition to the Allied forces. He met and discussed strategy with many leaders in the Southeast Asian region before he was flown on a Japanese plane in 1945 to Formosa.

Some evidence suggest that he did stop over at Saigon. Others claim it's just a smokescreen."

Mr Chitta Basu, however, personally met former INA members in Thailand and Singapore who confirmed that the Netaji did stop over in Saigon in 1945.

Netaji Centenary: Now involved in efforts to get the Rao government interested in a nationwide centenary celebrations of Netaji next year, Mr Basu, in 1990, presented both the Indian ambassador as well as senior government officials in Moscow with all the documents on Netaji. "I requested senior party officials to help in retrieving all material on Netaji by accessing their wartime archives. They agreed, but the Indian government did not pursue the matter," he said.

When Mr Rao became Prime Minister, Mr Chitta Basu met both Mr Rao and the human resource development minister, Mr Arjun Singh, besides the Indian Council for Historical Research (ICHR) officials on the issue.

He also wrote to "friendly governments" in Southeast Asia

Without the Indian government's active interest and support, Mr Chitta Basu stresses, there is no way of getting authentic information on what happened at that point of time in Indian history and the Freedom Movement.

Supreme Court verdict: Meanwhile, Netaji scholars and academicians in Calcutta are eagerly awaiting the Supreme Court verdict on the award of the Bharat Ratna to the Netaji, posthumously, by the Indian government.

The verdict, which is due at end October, is related to the contest of the award, both in the Calcutta High Court, and later, at the Supreme Court, as "fallacious, since the Netaji's demise has not been factually proved."

It is expected to restart the decades-old controversy on the Netaji's mysterious flight.

The government, which was asked by the Supreme Court to provide any evidence it may have on the issue, declined, arguing that all such information was classified.

Efforts are on to get the material declassified.



62  
23

issue and also especially the report prepared by an American intelligence officer, under General Douglas Macarthur, on the death of Netaji.

3. Calcutta's leading English newspaper, 'The Telegraph' published a report from its correspondent in Saigon, Prabha Jagannathan, on 26 September 1994, in which she mentioned that 'there is accessible material here on Netaji's stay at Saigon in 1945, when large Parts of Indo - China was under Japanese domination. However, the Indian Government is reluctant to pursue this lead, which is likely to help unearth some extremely interesting material on Netaji's disappearance'. She added: "The Government of the Socialist Republic of Vietnam has access to certain pictorial and documentary material of Netaji's last flight during which he made a sojourn in Saigon city on his way to Taipei (Formosa) and Tokyo before his final disappearance".

I feel that the Commission should request the Government of Vietnam to place all the material pertaining to Netaji at the Commission's disposal.

4. Nearly fifty five years after the reported aircrash at Taipei, the records of the Intelligence Bureau of the

T. E. Smea





81-2261

Government of India, have not been declassified. For instance, the reports prepared by Messrs Finney and Davies, who were sent to the Far East to trace Netaji after the News of the aircrash was known, are not yet available for administrative examination. They were accompanied by two Indian Police Officers, H.K.Ray and K.P.De, who might have submitted their own reports to the Intelligence Bureau. The Government of India should be urged to make all these reports available for close scrutiny.

T. R. Sree



ATTESTED

Secretary Public, Delhi

03 MAR 2000



62  
69

**Ministry of Home Affairs  
Security Division**

.....

**Subject: Request for access to the relevant documents relating to Netaji lying with Govt. of Vietnam.**

**The undersigned is directed to forward herewith a communication dated 25.11.04 received from Justice Mukherjee Commission of Inquiry alongwith enclosures.**

**It is requested that the Indian Commission in Vietnam may kindly be advised suitably to take up the matter with the Govt. of Vietnam and request them to allow the Commission to have access to all the relevant documents relating to Netaji during the proposed visit of the Commission to Vietnam.**

  
**(UMESH KALRA)**  
**DIRECTOR(S)**

**Ministry of External Affairs, Shri L.D. Ralte, Joint Secretary (CNV), South Block, New Delhi**

**MHA U.O.No. No.I/12014/13/2000- NCB-II dated 31 .12.04**

**Copy to: Shri P.K. Sengupta, Secretary, Justice Mukherjee Commission of Inquiry, Netaji Subhas Chandra Bose, 'B' Block, 3rd Floor, 11/A Mirza Ghalib Street. Kolkatta-700087.**





By Regd. Post with  
A/d.

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF

NETAJI SUBHAS CHANDRA BOSE.

'B' Block, (Third Floor)

11/A Mirza Ghalib Street, Kolkata 700 087

FAX : 0091-033-2252-2765

Phone:

Chairman - 2252-2835

Secretary - 2252-2767

Officer on

Special Duty - 2252-2765

Office - 2252-2766/68

e-mail: jmcinscb@cal3.vsnl.net.in

No. JMCI/Meeting-Proceeding(Follow-Up)/ गृह मंत्रालय, New Delhi, dated, 14.01.05.  
99-2000/48(V)/372.

Ministry of Home Affairs  
नई दिल्ली/New Delhi

From : Shri M.Roy, IAS (Retd.),  
Officer on Special Duty

To : The Director,  
Intelligence Bureau,  
Government of India,  
Ministry of Home Affairs,  
North Block,  
New Delhi-110001.

Dy Mo 553/Dur (S)  
21/2/05 Sir,

In inviting a reference to your d.o. no.IV/8(66)/  
2001-2184 dated 12.12.01 regarding examination of the  
microfilmed files of Intelligence Bureau on various  
aspects of the INA or Netaji Subhas Chandra Bose I am  
directed to state that Shri P.N. Chakraborty, Senior  
Research Officer of the Commission, who had been deputed  
to New Delhi for the purpose of examination of the  
aforesaid files on microfilm, examined on two occasions  
thirty such files at the IB Headquarters and prepared  
synopses of the contents thereof. Copies of the said  
synopses are enclosed.

It appears from the synopses as prepared by  
Sri Chakraborty that writings on many microfilms were  
either fully or partially not visible/legible/distinct.  
I am, therefore, directed to request you kindly to take  
suitable action, if any, so that the contents of the  
affected/damaged microfilms can be gathered by the  
Commission immediately.

Enclo : As stated above.

Yours faithfully,

sdt

( M. Roy )

REGISTERED WITH A/D.

No. JMCI/Meeting-Proceeding(Follow-Up)/99-2000/48(V)/372(1)  
Dated 14.01.2005.

Copy to the Joint Secretary, Ministry of Home Affairs,  
Govt. of India, North Block, New Delhi-110001 for favour of  
kind information and necessary action, if any. Photocopies of  
the synopses are enclosed.

Enclo : As stated.

( M. Roy )

Officer on Special Duty



**(B) Files kept on Microfilm**

- 6 File No.BA-1-III (Sl.No.12 in IB's list at Cor.Pages Nos. 305-314 in the file on hand) This file contains documents relating to history of different individuals including INA personnel, collection of additional information about them and also the antecedents of Capt.Mohan Singh. The file speaks of the activities of INA and emphasises the expediency of interrogating Capt.Habibur Rehman in utmost detail on two points, viz, (a) Netaji's death and (b) Netaji's intelligence plans.
- 7 File No.1/INA/D/69 (Sl.No. 23 in IB's list ibid) This file contains documents relating to the publication of a report in the Bengali daily "Jugantar" on 4.3.69 on Netaji Subhas Chandra Bose. Inspector Gorachand Sanyal of Security Control, Calcutta, it appears from this file, was reported to have made a statement to one correspondent of the aforesaid Bengali daily to the effect that Netaji's last escape was by a submarine from Singapore and that the news of his death by plane crash at Taihoku was not beyond doubt. A copy of Shri Sanyal's statement dated 23.3.69 together with a copy of his further statement dt: 22.4.69 regarding Netaji's escape from Singapore by a submarine has been inserted in this file. Documents relating to Netaji's so-called broadcast from Moscow Radio published in Hindi weekly "Visva-Neta" and investigation into the identity of the broadcaster are also available in this file. The file further indicates that the enquiry made by Indian Embassy in Moscow confirmed that the reported broadcast had been made by an Indian student named Subhas Chandra and not by Netaji Subhas Chandra Bose.



- 8 File No. 1/INA/D/61(1) IV  
(Sl. No. 26 in IB's list ibid)
- This microfilm has been found to be blank. IB's explanation in this regard is that the pre-recorded microfilms were initially stored at Bangalore where the arrangement for their safe-keeping was too unsatisfactory and unscientific to ensure their protection against damage. This coupled with lack of vigilance, it has been asserted by I.B., effaced writing from the surface of some of the microfilms, thereby compelling the administration to get all the microfilms shifted from Bangalore to New Delhi for proper preservation.
- 9 File No. 11/JC/43(3)A-11  
(Sl.No.34 in IB's list ibid)
- This file mostly contains documents of 1944 relating to the trial of five accused persons, viz, Ajaib Singh, Zahur Ahmed, Awdeshwar Rai, Shyam Lal Pandey and Satindra Lal Majumder, with the charges that they were enemy agents and conspired in Burma and Malaya to deprive His Majesty the King Emperor of the sovereignty of India by aiding and assisting the Japanese Government. This file has been found to contain some Urdu documents also with no English rendering being available.
- Extract from the letter dt: 24.11.44 from Wacc (DIG,Punjab) to Jenkin (DD,IB), which is available in this file, has been examined but found to be wholly irrelevant to the inquiry of this Commission.
- 10 File No.17/JC/43  
(Sl.No.45 in IB's list ibid)
- This file mostly contains wireless bulletins, radio broadcasts, announcement and other documents - all of 1943 - contents of which are found to have no bearing on the Commission's terms of reference. Some pages of the original file having been found missing from the microfilm, the matter was brought to the notice of the Joint Director of IB and his explanation in this regard is that the pages of the original file found missing from the microfilm, having been considered as useless or redundant



documents, have deliberately been omitted from being microfilmed.

- 11 File no.  
10/PD(D)62  
(Sl.No.53 in  
IB's list ibid)

This file contains documents regarding Shri Sarat Chandra Bose's utterances in the course of his tour in Europe and his criticism regarding the working of Indian Embassies, Pandit Nehru's reply to such charges and the antecedents of the people, who called on Sarat Babu at <sup>the</sup> sanatorium during his convalescence.

- 12 File  
No.18/INA/42  
(Sl.No.58 in  
IB's list ibid)

This file speaks of Indian Independence Conference held at Bangkok in 1942 and contains documents pertaining to the period upto 1942.

The file gives information regarding Axis Radio Propaganda of Subhas Chandra Bose's death. According to the Japanese announcement on 4<sup>th</sup> April, 1942, four Indians, viz, K.A.N.Iyer, Md. Akram, Swamy Satyanand Puri and Sardar Pritam Singh, were killed in an air accident. There is, however, no name of Netaji amongst the four victims of the plane crash. In this file there are some telegrams which appear to have been written in secret code. Some writing on the microfilm has been found to be indistinct and illegible which has been ascribed by IB to careless maintenance of the microfilm at Bangalore before being shifted to New Delhi.

- 13 File  
No.13/INA/42-1  
(Sl.No.59 in  
IB's list ibid)

This file contains documents which mostly pertain to 1942. In this file there is a document which quotes Japanese announcement in Urdu and speaks of Netaji's death in an air accident while flying to Tokyo. It, however, appears from this file that the names of the victims as mentioned in that documents do not include the name of Netaji and that no confirmation also



was received of the death of those four Indians.

The file contains many radio broadcasts of 1942 which are of little use, so far as this Commission is concerned.

- 14 File  
No.31/DG/56  
(Sl.No.63 in  
IB's list ibid)

This file actually deals with matters connected with appointment of Shah Nawaz Committee, the said Committee's visit to Far East to inquire into Netaji's death, submission of report by that Committee on completion of its inquiry, submission of dissentient report by Shri Suresh Chandra Bose, a member of that Committee, and the consequences thereof. The file contains newspaper cuttings about Netaji mystery, copy of PES Finney's report dt: 5.10.45, interrogation report dt: 25.9.45 of Maj. Takahashi, Kiyoji, Hikari Kikan as submitted by D.Mitchell, Lieut BA SEATIC, Att.IAU, copy of the report dt: 8.10.45 as submitted by John Figgess on the death of Subhash Chandra Bose and copies of the documents received by this Commission from IB and placed at Cor pages nos. 462-486 in File No.48 (III). Antecedents of Shri S.M.Goswami of Ranchi, antecedents of one N.G.Swami, S/o G Nagratnam Iyer of Bhimannapet, Mylapore, Madras and some photographs as annexed to Shahnawaz Committee's report are also available in this file.

- 15 18 File  
No.25/DG/70  
(S.No.69 in IB's  
list ibid)

This file contains a note on the issue whether Netaji is dead or still alive. Some leaders and parties in India, it appears from the file, still believe that Netaji is alive and that is why the Khoshla Commission was constituted by the Government of India under the Commissions of Inquiry Act, 1952 in order to get the mystery unraveled.



16 17 ✓ File  
No.1/INA/49  
(Sl.No.71 in IB's  
list ibid)

Some writing on this microfilm having disappeared, this unhappy state was brought to the notice of I.B. which attributed it to the failure in providing the microfilm with adequate safeguard at Bangalore against damage.

The file relates to celebration of 53<sup>rd</sup> birthday of Netaji Subhas Chandra Bose and also speaks of Pakistan Government's decision regarding absorption of ex-INA personnel in their old posts in Government departments. Extracts from newspapers regarding significance of Azad Hind Foundation Day and Azad Hind Government Day, reports regarding celebration of such great events, report regarding INA Convention held in Bombay and report/information called for by the Deputy Commissioner of Police, Special Branch, 11, Lord Sinha Road, Calcutta about the antecedents of some individuals are available in this file. The file relates to the problems experienced by ex-members of the INA in the field of their post-war rehabilitation in India.

17 18 ✓ File  
No.3/INA/50  
(Sl.No.72 in IB's  
list ibid)

This file speaks of unavailability of photographs of the remains of Netaji Subhas Chandra Bose in the relevant files and relates to MEA's request, to MHA and the Defence Ministry for furnishing information regarding the INA funds in Bangkok, enquiry regarding the availability or non-availability of reports of the interrogation of some ex-INA personnel, ex-INA Officers' deputation before Pandit Jawaharlal Nehru and settlement of the accounts of ex-Indian Army personnel who joined the INA.



1. File No. BA-24 (vide Sl.No.10 of the IB list)

This file speaks, inter alia, of formation of Bose Regt. In September, 1943, formation at the same time of 2 Bahdr.Gp. by detaching personnel from other INA units, organisation and composition of 2 Bahdr. Gp., its object, distinguishable difference between 1 Bahdr. Gp. <sup>or</sup> And 2 Bhadr.Gp., the strength table of 2 Bahdr. Gp., the training facility provided for 2 Bahdr Gp., movement of 2 Bahdr.Gp. with equipment and its arrival at Rangoon on 20.04.44, transfer of three Japanese Liaison Personnel attached to 2 Bahdr.Gp. to Hikari Kikan HQ., plan to send a large party from 2 Bahdr.Gp. to relieve 1 Bahdr.Gp. in Arakan, the detail of 126 men of 2 Bahdr. Gp. On 10<sup>th</sup> October, 1944 to move to Arakan, description of the equipment of 2 Bahdr. Gp. personnel who moved from Rangoon to Arakan, incorporation of the troop of 3 Gwalior Lancers into 1 Bahdr. Gr., adoption of Muslim aliases by all Hindu J.I.F.S. of 1 Bahadur Group in Arakan with the object of securing the confidence of the Arakanese Muslims to facilitate identification of British agents or sympathisers among them, extortion committed by Lt. (HAV.) Salig Ram in Arakan from Muslim villagers who were



206  
(P)

suspected to be British spies, torture on Arakanese Muslims and killing of more than 250 Muslim villagers, Col. Burhan-ud-Din's visit to Arakan front ~~from~~ on 8.12.44 under Netaji's instruction, INA morale following news of Japanese reverses in Burma and the Pacific, return of 1 Bahadur Group to Alechaung and forward movement of 2 Bahadur Gr. in the same beat as reliever of the former, posting of cadets to 1 Bahdr.Gr. and 2 Bahdr. Gr. on completion of their training, retreat of Grla. Regiments from the Manipur front and movement of a number of cadets to Mandalaya to join the Grla.Regts., extract from the CSDIC (India) Red Fort Delhi No. 2 Section Report no. 770 dated 22.01.45, extract from South East Asia command and India Command Weekly Security Intelligence Summary No.168 dated 19<sup>th</sup> January, 1945, extract from 2 F.I.U. dated 20<sup>th</sup> September, 1945 regarding Civ. Rup Narayan Sharma, son of Dr. Shiv Parsad, LMF (Madras), Vill. Shanspur, Najra, <sup>^ Tehsil</sup> ~~Uchail~~ Jhajjar, District. Rohtak, Punjab, disbanding of 2 Bahadur Gr. in January, 1945 and sending of officers to 1 Bahdr. Gr. and others to Fd. Units.

The last page of the file under study contains extract from Interrogation Report No. M 2339 received from Comd.2 Adv. F.I.C., but the print is too hazy and indistinct to be legible.

2. File No. B-1 (vide Sl.No.14 of the IB list)

This file, inadvertently printed in the IB list as BA-1 in lieu of B-1, contains a brief review of the INA.

The file speaks, inter alia, of the formation of the INA by the Japanese immediately after declaration of war in the Pacific when a small nucleus of



captured Indian officers in both Hong Kong and Malaya helped suborn Indian troops. Capt. Mohan Singh, 1/14 Punjab Regiment, it appears from the file, was proclaimed GOC. After the Bangkok Conference in June, 1942, the file further reveals, the INA was placed on a constitutional basis. The Army was almost disbanded in December, 1942 followed by its reconstitution and reformation in the first half of 1943. The file touches upon Netaji's arrival in the Far East and his immediate action on taking over supreme command of the INA, resulting in improvement of the conditions for the rank and file and building up of the morale.

The file refers to the INA's activities, Muslims in the J.I.F.C., INA recoveries and the reoccupation of Rangoon, INA's last days in Rangoon, Netaji's speech at the Officers' Training School, reiterating his determination to continue the fight to deliver India from the British rule, Netaji's admission that the INA alone could not break 'British might', the new role as assigned <sup>by</sup> Netaji for the INA, the INA in Malaya, value of Bose and INA to the Japanese, secret warfare by Hikari Kikan against India, Fujiwara <sup>Kikan,</sup> Iwakuro Kikan, reorganisation and enlargement of the Kikans, functions of the Kikans, INA before and after Netaji's arrival in South East Asia, INA's relations with the Japanese and change in the security arrangements.

x The file contains a document bearing No. FS/43/13,556 Field Security Section, Calcutta dated 18<sup>th</sup> May, 1945 which reveals, inter alia, that on 24.04.45 a conference held at Singapore was attended by the Japanese Army Chiefs, to which important INA officers also were invited, and that in the said conference it



was decided that there would be no retreat even if no reinforcement could be sent from Japan. In this document there is a reference to a statement regarding Netaji's visit to Russia. The statement is significant inasmuch as it indicates Netaji's direct contact with Russia during the INA days. One printout of the document referred to above has, in the meantime, been furnished to the Commission vide Intelligence Bureau (MHA) letter No. IV/8(22)/2002-IV-1124 dt: 25.10.04. The said letter together with its enclosures has been placed at CP 192 - 195 for favour of kind perusal.

In the file under study there are some documents contemporaneous with the alleged plane crash at Taihoku on 18.8.45, and some other documents pertaining to the period beyond that accident. Writings on some pages of this file, being hazy and indistinct, are incomprehensible.

3. File No.BA-51 (1) (vide Sl.No.19 of the IB list)

This file opens with an intelligence report on the trouble created by IINA personnel while travelling by train. Not only did they force themselves into defence coaches but also barred entry to all others attempting to entrain, and the railway officials, too, mistaking them for Army personnel, failed to report their various irregularities to the authority concerned. The file speaks, inter alia, of clashes with INA personnel at Asansol, INA men's threat to fast till death with a demand for better amenities in Barrackpore Hospital, plan for the rehabilitation of the INA personnel and interference by certain INA men at Gorakhpur with police investigation.



203  
(73)4. File No.BA-52 (vide Sl. No. 20 of the IB list).

This file relates to the release of INA officers, restrictions imposed on the movements and activities of INA personnel even after their release, action taken by the local Police to keep a check on ex-INA personnel, release of Col. J. Bhonsle, Chief Staff of the INA, from prison and his position as the King's Commissioned Officer pending sanction of his discharge by the London authorities, disposal of INA officials and the modalities thereof and classification of all ex-INA men as Black or Grey after their dismissal or discharge from the service.

5. File No.BB-1 (vide Sl. No.21 of the IB list).

This file refers, inter alia, to the closure of the Azad Hind School, Hong Kong in December, 1944 where civilians were being trained for the INA, transfer of the students of that school to Chonburi Training School in Thailand, particulars of the military personnel of 5<sup>th</sup> Division of the Rajput Regiment who were taken prisoners by the Japanese and who joined the INA at Hong Kong and the INA activities including overt acts against British interests.

6. File No.BC-1 (vide Sl.No.22 of the IB list).

This file relates to the subject "INA in other occupied territories". The file deals, inter alia, with a report containing a reference to Indian National Army AA personnel who were manning AA defences at the railway town of Hong ~~Kong~~<sup>or</sup> Pladuk on the Burma/Siam Railway, INA troops in Siam and Malaya during



October, 1944, INA in Bangkok, Thailand and Borneo and location of Azad Hind Fauz Training Centre amidst the isolated hills of the east of Chonburi.

7. File No. 1/INA/D/61(!) II (vide Sl. No. 24 of the IB list).
8. File No. 1 /INA/D/61(1)V (vide Sl. No. 27 of the IB list)
9. File No. 6/DG/67 (52) (vide Sl. No. 28 of the IB list)
10. File No. 25/DG/76 (vide Sl. No. 29 of the IB list)
- The microfilms containing these four files and bearing nos. 1501, 1502, 1521 and 1521 respectively (files nos. 6/DG/67(52) and 25/DG/76 being on the same film) are found to have been totally damaged, and no writing thereon is ~~visible~~ visible.

11. File No. 6/DG/68(55) (vide Sl. No. 30 of the IB list)

This file relates to preparation of life sketches of the freedom fighters who laid their lives for the cause of the country's freedom, entrustment of the task of preparation of such sketches to Shri S.N. Vinayak, D.C.I.O., study of a large number of files and perusal of books and films by Shri Vinayak in connection with his aforesaid assignment, preparation of dossiers of the freedom fighters by Shri Vinayak, his release from the assignment after completion of his job, the project taken by the Ministry of Education in collaboration with the Ministry of Home Affairs for compilation and publication of booklet containing brief life sketches of those patriots who were hanged or killed during the country's struggle for freedom (1857 to 1947), the target set for bringing out the aforesaid publication by October, 1969 so that the publication might synchronize with the



281  
75

Gandhi Centenary Celebration and plan to collect materials from the files and records of IB in respect of the freedom fighters who laid their lives for the emancipation of our country with a proposal of collection of such materials from the State C.I.D., too.

The file contains a list of freedom fighters who were killed, hanged or shot during the freedom struggle from 1857 to 1947.

Writings on some pages of this file are found to be hazy, indistinct and illegible.

This file contains no reference to INA or Netaji.

12. File No.6/DG/68 (55)BIII (Sl. No.32 of the I.B.List)

This file speaks of the execution of Mangal Pandey at Barrackpore (West Bengal) on 08.04.1857 and contains life sketches of many other martyrs who took part in Quit India Movement of 1942, Civil Disobedience Movement of 1930 and other revolutionary movements.

There is a mention in this file of the plane-crash death of Swami Satyanand Puri, K.N.Iyer and Md. Akram in the course of their journey to attend the Indian Independence League conference.

In this file there is a reference to the Japanese news dated 04.04.42, announcing the plane-crash death of four Indians while flying to Tokyo, the names of the victims of the crash being Swami Satyanand Puri, Mr. K.N. Iyer, Sardar Pritam Singh and Md. Akram. This accident was the one which led to the canard regarding the death of Netaji Subhas Chandra Bose.

The file contains a dossier of Gyani Pritam Singh who was associated with Capt. Mohan Singh, Commander of the Indian National Army.



208  
(76)

The file contains a life sketch of Netaji Subhas Chandra Bose and a reference to the report of his plane-crash death on his way to Tokyo on 18.08.45.

13. File No. 35/JC/43 – II (vide Sl. No. 46 of the IB list).

The file deals with the subject "Subhas Chandra Bose's Provisional Government".

The file contains the names of the members of Netaji's Provisional Government of Free India with Netaji as the head of that Government and formation of that Government followed by its official recognition as given by the Republican Fascist Government of Italy, Government of Thailand and Governments of Manchuria and National China.

The file contains extract from the British Ministry of Information Delhi Domei Press Service for the Pacific Zone dated 14.11.43 regarding Netaji's visit to the residence of Mitsuru Toyama, the outstanding Japanese patriot, at Tokyo with the former's plan to redeem India from the British shackles. The file also contains extracts from Wireless Bulletin and other documents of 1943 and 1944. Contents of this file do not appear to be relevant to the inquiry with which this Commission is concerned.

Some pages of this file contain hazy, indistinct and illegible writings.

14. File No. 16/JC/43. (vide Sl. No. 47 of the IB list)

This file relates to the subject "Subhas Chandra Bose and his connection with Indian Independence League"

The file contains extract from CSDIC(I) No.2 Section report No.560 dated 29.07.44 regarding Abdul Rahman, son of late K.P.Mohd. Kaka of Vill. Tehin,



- 199 -  
(77)

Dist. Shwebo (Upper Burma), a list of the persons who could speak Urdu fluently and a list of interpreters in Kohima area.

15 File No.35/JC/43-IV (vide Sl. No. 48 of the IB list)

This file relates to the subject "Bose's Provisional Government".

The file contains documents concerning Netaji and his Government and speaks of the Indian independence activities in the Far East Since 1941.

The file furnishes information upto February, 1945.

16 File No.35/JC/43 - I (vide Sl.no.49 of the IB list)

This file relates to the subject "Subhas Chandra Bose's Provisional Government in Japanese occupied territory".

The file deals with Netaji's plan to establish a Provisional Government of Free India - a fighting organisation - by mobilizing the resources of the Indians residing in East Asia, the aim and object of the said Government, announcement by Netaji of the formation of and the line-up for that Government, recognition given by the Nanking Government and the Burmese Government to the Provisional Government of Free India, Netaji's activities as the head of the Provisional Government of Azad Hind, arrangement for the transfer of the Headquarters of the said Government to Burma, announcement by Netaji of the Constitution of National Indian Government under his presidency and declaration of war by the Provisional Government of Free India on Britain and the United States.

The documents preserved in this file pertain to the year 1943 and are not likely to be helpful to the inquiry of the Commission.



-198-  
(78)17. File No.25/DG/70 (1) (vide Sl. No. 67 of the I.B. List)

This file relates to the subject 'Indian National Army'.

In this file there is a reference to the letters written by Netaji (Supreme Commander of INA) to three INA officers. The letters, it appears from this file, were kept in a sealed cover with an instruction for the preservation thereof for permanent record. Earlier papers in the file, it further appears, have been destroyed.

The file touches upon Netaji's ideology as revealed in his thesis written in 1932 on the "Samyavadi Sangha". The thesis, among other things, deals with the methods which, according to Netaji, were to be adopted to make the fight for freedom successful. Netaji's ideology referred to above was reflected in the declaration dated 21.10.43 of the Azad Hind Provisional Government. The aim and object of that Provisional Government, it was claimed, were to drive the British and their allies out of India and to set up thereafter an independent Indian Government based on the will of the country.

The file contains copies of some communications which have been partially damaged and copies of some other communications which, on scrutiny, do not appear to be relevant to the inquiry of the Commission.

2 The file contains an extract from the "Nippon Times" of 05.07.47 which refers to the air crash at Taihoku on Formosa island on August 17, 1945 and reveals that the missing ¥1,000,000 in gold and jewelry was taken into the custody of the Japanese Kempei-tai. The extract further reveals that Kasuo Mitsui, 35, who was the policeman on duty, stated that at the time of the crash of Netaji's aircraft at



- 197  
79

Taihoku he had accompanied Netaji to the hospital where he had died from the injuries sustained in the crash. He said that the dying Bose had repeatedly called out, "cold, cold....." and that he interpreted it as meaning cold water which was given by him to Bose. Later, the interpreter said that Bose had referred to gold, and not cold.

Lt. Kitami, Chief of the Taihoku Kempei-tai, explained that the military police had the suitcase containing the cash and gems.

Mr. Mitsui said that Bose appeared to have been satisfied and asked for the aforesaid cash and gems being handed over to his aide Col. Rahaman for future use for the Indian Independence movement.

Mr. Mitsui added that he did not know whether Kempei-tei<sup>had</sup> actually returned the gold and jewelry to the Indian officer or not.

The file contains a copy of the letter dated 28.3.44 signed by S.C. Bose as the Supreme Commander of the INA and addressed to Lt. Col. S.A. Malik, Capt. Ajmer Singh and Major Magher Singh - all of the INA. The microfilm has been damaged and, for this reason, the contents of the aforesaid letter could not be deciphered fully. Steady progress of the INA towards Independence of India was the subject of that letter.

Some pages of this file are found to be blank.

18. File No. 61/JC/43(2)-II (vide Sl. No. 76 of the I.B. list)

This file relates to the subject "Propaganda used by the Japanese in their "I" offensive against India".



- 196  
(5)

The file contains extract from Daily Wireless Bulletins, broadcasts from Japan and Japanese occupied territory, articles from "Azad Hindustan" and copies of some documents pertaining mostly to the period up to December, 1944. There are some Urdu documents also in the file under study. Mainly propoganda documents, which hardly convey the truth, are found to be presereved in this file. Writings on some pages of this file, being hazy and indistinct, are not comprehensible.

P. N. Chakrabarty  
S.R.O. 2/11/04



JUSTICE MUKHERJEE COMMISSION OF INQUIRY  
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF  
NETAJI SUBHAS CHANDRA BOSE.  
'B' Block, (Third Floor)  
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835  
Secretary - 252-2767  
Officer on  
Special Duty - 252-2765  
Office - 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

Fax :  
0091-033-252-2765

**REGISTERED WITH A/D**

No. JMCI/Meeting-Proceeding (Follow Up)/-  
99-2000/48(V)/439(4)

Kolkata, dated, 09.03.2005.

From : Shri M. Roy, IAS (Retd.),  
Officer on Special Duty

- To :
- 1) The Secretary,  
Ministry of Home Affairs,  
(Attention : Joint Secretary (Security)),  
Government of India, North Block,  
New Delhi 110001.
  - 2) The Secretary,  
Ministry of External Affairs,  
(Attention : Joint Secretary (CNV)),  
Government of India, South Block,  
New Delhi 110001.
  - 3) The Secretary,  
Cabinet Secretariat,  
Government of India,  
Rashtrapati Bhavan,  
New Delhi 110004.
  - 4) The Director,  
Intelligence Bureau,  
Government of India,  
Ministry of Home Affairs, North Block,  
New Delhi 110001.

S i r,

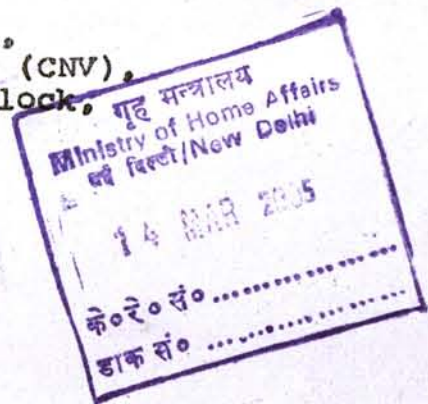
I am directed to send herewith photo copies  
of the Commission's proceedings dated 03.02.2005,  
04.02.2005, 09.02.2005, 10.02.2005, 11.02.2005,  
16.02.2005, 17.02.2005, 18.02.2005, 21.02.2005,  
and 22.02.2005 for your information and favour of  
taking necessary action, if any, at your end.

Yours faithfully,

(M. Roy)

Officer on Special Duty

Encl. : As stated above.



cm  
11/7/3

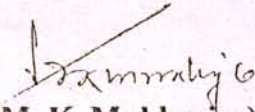


JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 22.02.2005 (44th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 22, 2005

Mr. Tarakeswar Pal, Ld. Senior Counsel appearing for the Government of India has been heard in full. Some of the deponents have prayed for granting leave for filing written arguments in support of their respective cases. Considered. Prayer has been allowed fixing 28.02.2005 for filing of written arguments, if any, by the deponents in the office of the Commission.

  
(M. K. Mukherjee)  
Chairman



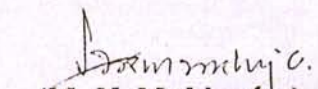
# JUSTICE MUKHERJEE COMMISSION OF INQUIRY

83

Proceedings dated 21.02.2005 (43rd) held at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 21, 2005

Mr. Keshab Bhattacharyya, Ld. Advocate, appearing for the deponent, the All India Forward Block, (JMCI-19/2000) has been further heard. He concluded his arguments. Shri Kanai Lal Bose (JMCI-13/2000), Shri Bejay Ketan Mukherjee (JMCI-32/2000), Shri Sukhendu Baur (JMCI-31/2000) have been heard in full. Dr. Madhu Sudan Pal (JMCI-14/2000) has been further heard and he concluded his argument. It is now 3-30 p.m. Hearing is adjourned fixing 22.02.2005 for hearing Ld. Sr. Counsel appearing for the Government of India.

  
(M. K. Mukherjee)  
Chairman

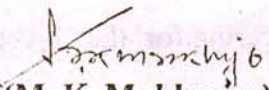


89  
**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

**Proceedings dated 18.02.2005 (42nd) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.**

February 18, 2005

Dr. Susanta Kumar Mitra has been further heard. Mr. Supriya Bose, Ld. Advocate, (Co-Deponent of JMCI-27/2000) has been heard in full. Mr. Keshab Bhattacharyya, Ld. Advocate, appearing for the deponent, 'the All India Forward Bloc' (JMCI-19/2000) has made submissions in part. It is now 3.30 P.M. Hearing is adjourned fixing 21.002.2005 for further argument of Mr. Keshab Bhattacharyya and others.

  
**(M. K. Mukherjee)**  
**Chairman**



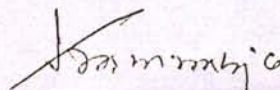
JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 17.02.2005 (41<sup>st</sup>) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 17, 2005

Heard Shri Rudrajyoti Bhattacharyya, Ld. Advocate (Co-Deponent of  
JMCI-11/2000) in full and Dr. Susanta Kumar Mitra (JMCI-37/2000) in part.

It is now 3-30 P.M. Hearing is adjourned fixing 18.02.2005 for further  
hearing.

  
(M. K. Mukherjee)  
Chairman




**JUSTICE MUKHERJEE COMMISSION OF INQUIRY**

Proceedings dated 16.02.2005 (40th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 16, 2005

Prof. Nanda Lal Chakraborty has been further heard. He completed his arguments. It is now 3-30 P.M. Hearing is adjourned fixing 17.02.2005 for hearing argument of Shri Rudrajyoti Bhattacharyya, Ld. Advocate (Codeponent of JMCI/11/2000), and others.

  
(M. K. Mukherjee)  
Chairman



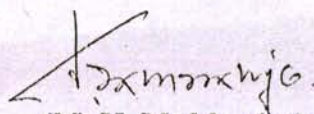
JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 11.02.2005 (39th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

87

February 11, 2005

Heard further arguments of Prof. Nanda Lal Chakraborty at length. He could not complete and has prayed for further time for completion of his argument. Prayer has been considered and allowed fixing 16.02.2005 for further argument by Prof. Chakraborty and others.

  
(M. K. Mukherjee)  
Chairman

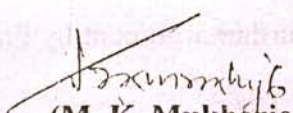


88  
JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 10.02.2005 (38th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 10, 2005

Heard Prof. Nanda Lal Chakraborty (JMCI-11/2000) in part. It is  
now 3-30 P.M. Prof. Chakraborty has prayed for time for further argument.  
Prayer is considered and allowed fixing 11.02.2005 for his further argument.

  
(M. K. Mukherjee)  
Chairman

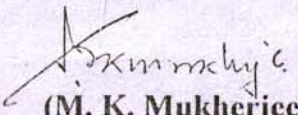


JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 09.02.2005 (37th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 9, 2005

Shri Satyabrata Tapadar (JMCI-3/2000) and Dr. Madhu Sudan Pal  
(JMCI-14/2000) have been heard in full on the point of reference. It is now  
3-30 P. M. Hearing is adjourned fixing February 10, 2005 for argument by  
others.

  
(M. K. Mukherjee)  
Chairman



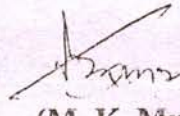
90

JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 04.02.2005 (36th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 4, 2005

Smt. Chandreyee Alam, Ld. Advocate, has been further heard.  
Thereafter, deponents Shri Subhas Ranjan Dasgupta (JMCI-3/2000), Shri  
Barindra Karmakar (JMCI-55/2000) have been heard in full. It is now 3.30  
P.M. Hearing is adjourned fixing 09.02.2005 for hearing arguments by  
others.

  
(M. K. Mukherjee)  
Chairman

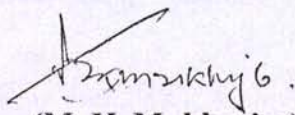


JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 04.02.2005 (36th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 4, 2005

Smt. Chandreyee Alam, Ld. Advocate, has been further heard.  
Thereafter, deponents Shri Subhas Ranjan Dasgupta (JMCI-3/2000), Shri  
Barindra Karmakar (JMCI-55/2000) have been heard in full. It is now 3.30  
P.M. Hearing is adjourned fixing 09.02.2005 for hearing arguments by  
others.

  
(M. K. Mukherjee)  
Chairman

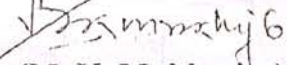


JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 03.02.2005 (35th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 3, 2005

Smt. Chandreyee Alam, Ld. Advocate, appearing for the deponents  
Shri Paras Dutta (JMCI-23/2000) and Dr. Purabi Roy (JMCI-45/2000) has  
been heard in part on the points of reference before the Commission. Smt.  
Alam has prayed for time for completing her argument. Prayer is considered  
and allowed fixing February 4, 2005 for further argument.

  
(M. K. Mukherjee)  
Chairman



(93)

No.I/12014/13/2000-NCB-II(Vol.VI)  
Government of India  
Ministry of Home Affairs  
.....

New Delhi dated 21.3.2005

To

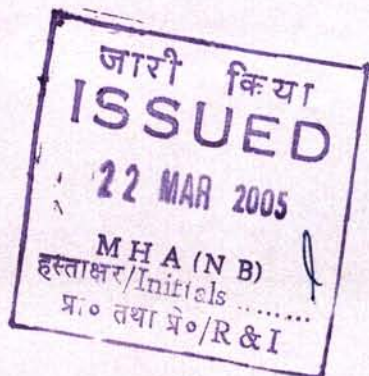
Shri Tarakeshwar Pal,  
Advocate & Sr. Standing Counsel to  
Government of India,  
Justice Mukherjee Commission of Inquiry,  
Bar Association Room No.5,  
High Court of Kolkatta,  
KOLKATA-700040.

Subject: Proceedings dated 22.2.05 (44<sup>th</sup>) held at the Seminar Hall,  
Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue,  
Kolkatta.


Sir,

Enclosed please find herewith a copy of proceeding dated 22/2/05 on  
the subject noted above.

2. It is requested that the details of the arguments held on 22/2/05 may  
be furnished to this Ministry for information and record.
3. It has also been reported that the writ petition/public interest litigation  
has been filed and listed for hearing on 14/1/05 in the Kolkatta High Court.  
This Ministry may kindly be apprised of the factual position in the matter.



Yours faithfully,

  
(UMESH KALRA)  
DIRECTOR(S)  
21/3/05  
P. OK

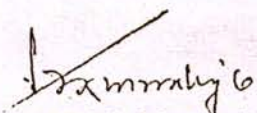


JUSTICE MUKHERJEE COMMISSION OF INQUIRY

Proceedings dated 22.02.2005 (44th) held at the Seminar Hall, Annexe Building,  
Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007.

February 22, 2005

Mr. Tarakeswar Pal, Ld. Senior Counsel appearing for the Government of India has been heard in full. Some of the deponents have prayed for granting leave for filing written arguments in support of their respective cases. Considered. Prayer has been allowed fixing 28.02.2005 for filing of written arguments, if any, by the deponents in the office of the Commission.

  
(M. K. Mukherjee)  
Chairman



forward Bloc  
T. Bill's  
action points